

CABINET MISSION IN INDIA

by

DEWAN RAM PARKASH

1946

TAGORE MEMORIAL PUBLICATIONS
LAHORE (INDIA)

Printed by
Mirza Mohammad Sadiq
at the
Ripon Printing Press,
Bull Road, Lahore

Published by
Mr. R. I. Paul
for
Tagore Memorial Publications
Lahore

Price
Four Rupees and Twelve Annas-

PREFACE

The British Cabinet Mission has awakened the same measure of interest in this country which the Simla Conference had done. I gave you *Story of Simla* which described the details of the Simla Conference. Now I have taken upon myself the task of presenting to you this book dealing with the activities of the Cabinet Mission in India.

I feel it incumbent upon me to say a few words about this new enterprise of mine. Like the *Story of Simla* it presents India's case for freedom in terse and concise words. The history of freedom struggle in India is piled up in detail. Hereafter comes the British Premier's historic speech which is recorded with comments thereon. The views of the Indian leaders are expressed—the Congress stand about freedom and the League attitude towards Pakistan. I have taken the liberty to point out that the Congress attitude would lead to independence and the League is in fact a stumbling block. This is not to say that for this reason India should be denied freedom. India is for Indians, and this is more than a mere homely remark. And, lest the reader should think that I have trailed into sentimental discussion about India, a huge data concerning accurate facts and figures, speeches and statements, letters and queries is provided herewith. It contains, among other things, the State Paper, the Congress resolutions, the League decisions and those of the other political parties. The correspondence of the leaders, among themselves, with the Viceroy as well as the Delegation, is added and there is also a guide to the provinces.

This is a record--and yet more than a record, it is an impassioned plea for India's independence. It seems after all the League leaders may climb down, and then we shall hear an end of these goody-goody discussions and be really substantially near the goal of freedom. With these words I introduce the reader to the *Cabinet Mission in India* and hope that it would fill the void created as a result of the stalemate end of the Simla Conference.

DEWAN'S - LAHORE

August 1st, 1946

CONTENTS

CHAPTER	PAGE
I. A Survey of the Struggle for Freedom	9
II. India's Right to Independence	16
III. British Convictions Broken	29
IV. First Phase of Work	36
V. The Crucial Stage	53
VI. India for Indians ?	63
VII. The Congress Stand	77
VIII. The Stumbling Block	102
APPENDIX	
A-I. Resolution of the Congress Working Com- mittee (May 24, 1946)	117
A-II. Resolution of the All-India Muslim League Council (June 6, 1946)	120
A-III. Resolution of the Sikh Panthic Conference (June 10, 1946)	122
A-IV. Resolution of the Congress Working Com- mittee (June 26, 1946)	123
A-V. Resolution of the All-India Muslim League Council (July 29, 1946)	125
B-I. Statement of the Cabinet Delegation and the Viceroy (May 16, 1946)	130
B-II. Mr. Jinnah's Statement (May 22, 1946)	141
B-III. Joint Statement of Mrs. Aruna Asaf Ali, Dr. Ram Manohar Lohia and Messrs. Jai Prakash Narain and Achyut Patwardhan (June 8, 1946)	145
C-I. Hindu Mahasabha's Memorandum	148

C-II.	Sikhs' Memorandum	149
C-III.	Communists' Memorandum	150
C-IV.	Christians' Memorandum	152
C-V.	Punjab Non-Muslims' Memorandum	154
C-VI.	Muslim League's Memorandum	165
C-VII.	Congress View-point	167
D-I.	Tripartite Correspondence	171
D-II.	Azad-Wavell Correspondence	188
D-III.	Jinnah-Wavell Correspondence	207
E.	Facts about India	213
F.	Guide to Provinces	215
G.	Britain's Pledges and Declarations	218

I

A SURVEY OF THE STRUGGLE FOR FREEDOM

An ancient love for freedom is cherished by the people of India. This is true even today. It was true in the past. The saga of freedom movement dates back to the ancient days. In 1757 the people of Bengal rallied under their leaders and fought an unsuccessful battle. This struggle was renewed in 1857 under the leadership of Bahadur Shah. Thereafter began a period of standstill in Indian politics which lasted up to 1885, when the Congress came into being. From 1885 onwards were fought a series of long battles which lasted up to 1920, when the Indian people rallied round Mahatma Gandhi. This was repeated in 1920. In 1935 the Government of India Act was passed outlining the future scheme of reforms. The Indian people showed their capacity for working the reforms in 1937. The Congress ministries functioned in eight provinces from 1937 to 1939. The popular ministries were forced to resign because the country's previous assent to participate in war was not taken. The Working Committee of the Congress by its resolution in 1939 voiced strong condemnation of the British attitude. It called upon the British Government to declare in unequivocal terms what their attitude towards democracy was. The British representatives declared that it was a people's war, and "anti-fascist war" and a war against Hitlerism, but their declarations did not prove true. The Indian people had no doubt that this imperialist war would bring them suffering. The Congress made it clear that untold sufferings would follow the war. It did not wish to defend the British imperialism. It did not wish to defend the Nazi policy. It was desired that a National Government should be constituted at the centre, and thereafter India could fully participate in the war. India in bondage was a symbol of the British imperialism, and the taint of imperialism would affect the fortunes of all nations. The glow of freedom could relieve the energy and enthusiasm of the millions of Indian people. It could change the very

principles for which the war was being fought. The Congress declared that a free India assured the success of the cause for which the Allies worked. It could throw all its resources into the struggle for freedom, and against the aggression of Nazism, racism and Japanese militarism.

Sir Stafford Cripps came to India in March, 1942, to put before the people the scheme of the British War Cabinet. It was just the time when from Burma came numerous refugees to India occupying various roads in their inward trek. They walked hundreds of miles across mountains and through dense forests, surrounded by enemies. There was distress and disease, and a tale of trials and tribulations was told by those who arrived in this country. The proposals were described by the Indian leaders as dealing with the future. There was a final clause in the proposals which vaguely invited co-operation in the present. The proposals hinged mainly on the partition issue. The social and economic problems of India had reached a crisis, chiefly because of the policy of the British Government, which necessitated rapid and all-round progress if the gravest of disasters have to be averted. There was also the States' problem. Mahatma Gandhi had repeatedly declared that he was no enemy of the Princes. From the very beginning his attitude had been a friendly one towards them. But the British Government controlled the whole machinery of administration in the States through its Residents.

The Congress had its passion for Indian unity, and it was at the same time anxious to win over the minority and other groups in India. It went so far as to say that a territorial unit could not be kept in the Indian Union if its people did not wish it. It agreed to accept the scheme of the partition of India. If the Indian people desire it, it could happen. But the Congress did not want to encourage it in any way. The Working Committee of the Congress passed a resolution on the Cripps proposals. It said that the Congress had been wedded to Indian freedom and unity. it declared that any break in that unity was unthinkable. People thought of greater unity between the States. This was more true in case of the modern world, when people's minds inevitably thought in terms of ever larger federations. It was injurious to all concerned and very difficult to think of. At the same time the Committee could not think about exercising

compulsion on the people so that they should remain in an Indian Union against their declared and established will. The Committee recognised that principle, but declared at the same time that every effort should be made to create conditions which would help the different units constituting the country so that they should be able to develop a common and co-operative national life. Underlying the acceptance of the principles was the fact that no changes should be made which resulted in fresh problems being created, and which led to exercising of compulsion on other substantial groups in that area. The territorial units should have fullest autonomy within the Union, consistently with the principles of a strong national State. The British War Cabinet had made a proposal. It encouraged and would lead to attempts at the separation of the Indian States, as soon as a union had taken place. It led to friction just when the utmost co-operation and goodwill were most needed. That proposal had been perhaps made to meet a communal demand, but it would have other consequences also. It would have encouraged politically reactionary and obscurantist groups among different communities to create trouble. It could divert public attention from the vital issues before the country. The Committee further said that in the grave crisis of those days, it was the past that counted. The proposals for future were important only so far as they affected the past. In fact the proposals had been made for the future. But in spite of it they were anxious to come to some settlement. The aim was that India might shoulder the burden of her defence worthily. No question of non-violence was involved, and it had not been mentioned at any stage. One of the matters discussed was that there should be an Indian Minister of Defence.

After some discussion Sir Stafford Cripps agreed that there might be a Defence Department under an Indian member but the matters to be dealt with by this department were : public relations, canteens, patroleum, amenities for troops, social arrangements for foreign missions, etc. But this was not acceptable to the Congress. The Congress leaders were also annoyed by the American propaganda of the British propagandists. The Muslim League waited for others to express their opinions, and then for its own reasons rejected the proposals. But even the League leaders could

not be satisfied. So the proposals had to be withdrawn.

As a result of the All-India Congress Committee Session the Congress struggle for freedom was launched in the same year. It continued up to the release of Gandhiji and other Congress leaders. But the next approach from the British side came in the form of the plan of Simla Conference. The opening of the Simla Conference was the direct result of the changed situation in Europe and elsewhere. It was Lord Wavell who performed the opening ceremony of the Simla Conference. Late Kailash Chandra Ray, the Editor of the *Tribune*, has suggested in his articles that "Never in India's recent political history were the large majority of Indian nationalists torn by such conflicting feelings and desires as they are at this moment with regard to the latest British proposals for the resolution of the Indian deadlock and the conference that is being held at Simla to consider them. On the one hand they wish with all their heart that the conference may succeed in its professed object for there is no other or better way by which the deadlock, which has done and is doing incalculable harm to India, can be ended immediately. On the other hand they wish equally whole-heartedly that the success of the conference and the consequent resolution of the present deadlock may not prove to be the starting point of another, and perhaps a bigger and more disastrous deadlock. The possibility of such a deadlock has already been foreshadowed."

The same editor summed up the communal demands by saying that the evil had grown up since the Congress-League agreement. This agreement conceded to the Muslims the right of separate representation in the legislatures. And yet the agreement had been at work only for a couple of years or so, when there arose a vociferous cry in all League quarters for communal representation from top to bottom in every department of organised life—in the executive, in the services, in the local bodies, even in universities and educational institutions. Ultimately it led to that demand for the actual division of India into two or more independent sovereign states on a religious basis of which so many of those who originally sported with the idea of communal representation are so mightily afraid. The plain truth is that once the British Government and the rest of political India accept the per-

nicious principle of communal representation in the supreme executive government with parity of representation for Muslims and a community three times as strong numerically as themselves, the principle would become a fixture, from which India would find no way of escape except through a revolution. That is why some of us have been warning all concerned with all the sincerity and earnestness we can command against forming the interim government on the basis of a religious division made worse by the proposed parity of representation between communities which are wholly unequal and the denial of adequate representation to other minority communities. We do hope that this warning will yet be heeded.

This conflict was encouraged by the League leaders who insisted on a parity scheme. But Wavell was not able to concede it. It is widely believed that no Viceroy could accept this scheme. Not only did the Muslim League not represent the provinces like the Punjab and the N.-W.F.P. but it had an uneasy hold even on a province like Sind. In Bengal its ministry had fallen and in Assam an all-parties ministry was functioning. These realities could not be brushed aside. Similarly, the fact that the Viceroy did not allow Jinnah to make a statement was widely appreciated. But what Mr. Jinnah could not say at the conference he said at a press conference he held in Simla the same evening. This holding of the conference showed that Mr. Jinnah was prepared to align himself with the other parties and make common cause with the Congress, the Sikhs and the Scheduled Castes. But why should not Jinnah adopt this attitude? He was a political realist. This stand of his was not a prolonged one. Earlier Wavell had encouraged Jinnah in his shoutings for the moon. But he could not forget his own policy in the matter. He had to satisfy the demands of the Punjab and he had also to pay due attention to what Premier Khan Sahib of N.-W.F.P. had to say in the matter. He had also to bear in mind that Maulana Azad was not only the President of the Congress, but also leader of the nationalist Muslims, and he had talked to him keeping his two roles in view.

The Sikhs and the Hindu-Sabhaites and the Christians had also to be satisfied, while one seat should go to the Parsees,

and he should have one nominee of his own. This left only seven seats which could be divided among the Congress and the League, the Punjab and the Frontier Province getting separate representation. Out of this further total of five seats the Congress according to probable Wavell reckoning might have three and the League two. The Congress would have wanted at least one seat more for a nationalist Muslim, while the League could have nothing less than six seats. Also the Congress as majority party wanted to select other names, if possible of League members too. But the Congress was not allowed to have its way. Lord Wavell had cut short the demands of Mr. Jinnah, but he could not proceed further. The Congress was prepared to let the League alone and form the government as Maulana Azad observed at a press conference in Calcutta on July 20. He declared that if Lord Wavell had adopted a firm attitude, the Muslim League would have ultimately come in. But even if the League had stayed out, a representative and popular government would have been formed at the centre and worked successfully. Proceeding Maulana Azad said if such a government had been formed at the centre, the admitted evils from which the country was now suffering—bribery, corruption and administrative inefficiency—would have been largely eradicated. If men at the top were incorruptible and enjoyed the confidence of the people, a great deal could have been achieved even with the existing machinery. Maulana Azad also thought that Simla Conference had done one good thing in making the people believe that the British Government meant business; though the good effect of the Wavell offer had been partially neutralised by the manner conference ended, which tended to revive the old suspicion that the communal division was made a plea for holding no political progress of India. Lord Wavell had already stated that he could not accept the League's claim as justified. The Maulana thought there was no justification for allowing the conference to fail on account of an admittedly unreasonable demand of one party in spite of agreement of all parties.

Replying to a question as to whether the Congress would join, if invited to participate in the present Executive Council, Maulana Azad said the Congress could not accept it as they did not believe that much good would come of it. But

if the whole Executive Council was reconstituted with the Congress co-operation, it would present a picture entirely different from the present one. The Congress could not enter the present Executive Council. It had to be changed wholesale in the spirit of the Wavell offer.

By the close of the year 1945 a British Parliamentary Delegation visited India just to have a close study of our political affairs. After their return they submitted to the Parliament a report in pursuance of which the decision was made to send to India the British Cabinet Mission consisting of three ministers, namely, Lord Pethick-Lawrence, Secretary of State for India; Sir Stafford Cripps, President of the Board of Trade; Mr. A. V. Alexander, First Lord of the Admiralty; whose purpose, it was stated, was to help India attain her freedom as early as possible.

II

INDIA'S RIGHT TO INDEPENDENCE

Every Indian, man, woman and child, has a right to freedom, not as a gift from the British but as their birthright. Without a free India, there cannot be a free world. We shall not have world peace, if India cannot have control of her own destinies, nor shall we have world economic recovery while India is in constant ferment in the heart of the East. Neither can there be any world reconstruction in an authentic sense until the problem of India has been rightly solved. The only right solution is for India to become a free nation among the nations of the world. It is doubtful whether the British themselves can carry on with a Colonial Empire on their backs. When the freedom of India has become accomplished, the free people of India will want to be friends of the people of Britain. There will be born a new era of co-operation and cordiality for the benefit of the world.

Speaking on the debate on the British Cabinet Mission to India in the Commons the Prime Minister, Mr. Attlee, said that it was the Government's intention to let the Mission put forth every effort to help India attain her freedom as speedily as she could.

Referring to the Opposition's demand that minority rights should not be ignored, Mr. Attlee said, "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of a majority." He added, "You cannot make Indians responsible for governing themselves and at the same time retain over here the responsibility for treatment of minorities and powers of intervention on their behalf."

The Premier stated the desire of the Government to set up an interim Government in India while the details of the new constitution were being worked out.

Before discussing the British Cabinet Mission to India, the House of Commons gave a second reading to the India

(Central Government and Legislature) Bill which had already passed through the House of Lords.

Mr. Arthur Henderson, the Under-Secretary for India, said that the Bill amended the Government of India Act of 1935 regarding the qualification of the members of the Governor-General's Executive Council and extended temporarily the powers of the Indian Legislature to make laws

Explaining that all emergency legislation passed during the war years would end on October 1, 1946, Mr. Henderson said that the Government of India were concerned to retain certain all-India economic controls whose temporary continuation they considered vital to avoid a breakdown of India's economy.

Mr. Henderson said that the Bill provided the Central Legislature with powers to make laws regarding trade, commerce and unemployment. Famine once more threatened India and to mitigate distress it was considered essential that the Central Government should have power to control prices, as well as supply of foodgrains throughout India, to regulate the flow of these food commodities from surplus to deficiency provinces and generally to co-ordinate with statutory powers the efforts of all authorities of British India to deal with the great danger which lay ahead.

Similar powers were asked in respect of other commodities in short supply such as cotton, wool, iron, steel, coal and petroleum.

The Bill would also protect temporarily any requisitioned land which might still remained in the Government's hands until the necessary negotiations had been completed and compensation settled.

Mr. Henderson emphasised that there was nothing obligatory in these provisions. They were not even powers given to the Governor-General but permissive powers given to the Central Legislature and definitely limited in time.

Mr. Richard Butler (Conservative) said that the Opposition would certainly desire to see the Bill obtain a second reading but would like to reserve the right of criticising the detailed points on later stages.

The Prime Minister, Mr. Clement Attlee, was the next speaker. Mr. Attlee said : " I thank Mr. Butler for his very helpful, wise and constructive speech. He has done great

service in Indian affairs for many years and he comes of a family that has given many most distinguished public servants.

"I think that the tone in which he addressed the House is just what is needed today at this critical stage in the relationship of these two countries, at a time of very high tension.

"I find from our friends in this House who had been out to India and returned, from letters received from Indians and from Englishmen in India of all points of view, complete agreement on the fact that India is today in a state of great tension and that this is indeed a critical moment. I am quite sure that every one in this House realises the difficulty of the task which the members of the Mission have undertaken in conjunction with the Viceroy and that no one will desire to say anything whatever that will make that task more difficult.

"I entirely agree with Mr. Butler in saying that the Mission should go out in a positive mood. That, indeed, is the mood in which they are undertaking this Mission.

"It is time emphatically for very definite and clear action. I do not intend to make a long speech. I do not think it would be wise to do so and in particular it would be most unhelpful to review the past. It is so easy to go back over the past and in accordance with one's predilections to apportion blame for past failures in long-drawn-out discussions on this extraordinarily difficult problem—the problem of development of India to a completely self-governing nation.

"In the long period of the past, it is so easy to point out and say that at this stage or that stage opportunities were missed by faults on one side or the other.

"I have had very close connection with this problem for nearly twenty years and I say there have been faults on both sides, but this time, we should look to the future rather than harp back to the past. Thus I would say : It is no good applying the formula of the past to the present position. The temperature of 1946 is not the temperature of 1920, 1930 or even 1942. The slogans of earlier days are discarded. Sometimes, words that seemed at that time to Indians to express the height of their aspirations are now set on one side and other words and ideas thrust forward.

"Nothing increases the pace and movement of public

opinion more than a great war. Everyone who had anything to do with this question in the early days between the wars known what effect the war of 1914—18 had on Indian aspirations and ideas. The tide that runs comparatively slowly in peace, in wartime becomes vastly accelerated, and especially directly afterwards, because that tide is to some extent banked up during war. I am quite certain that the present time the tide of nationalism is running very fast in India and indeed all over Asia.

"One always has to remember that India is affected by what happens elsewhere in Asia. I remember when I was on the Simon Commission what effect the challenge that had been thrown out by Japan at that time had had on the Asiatic people; and the tide of nationalism that at one time seemed to be canalised among a comparatively small portion of the people of India, mainly a few of the educated classes, has tended to spread wider and wider.

"I remember that in the Simon Commission report that although there were great differences in expression of the nationalistic sentiment between what were called Extremists and Moderates, and although in many instances there might be such stress of communal claims as may seem almost to exclude the conception of nationalism, yet we found that Hindus, Muslims, Sikhs and Mahrattas, politicians or civil servants—among all of them conception of nationalism has been growing stronger and today I think that the national idea has spread right through, not the least perhaps among some of those soldiers who had done such wonderful service in the war.

"I would like today, not to stress so much the differences between the Indians, but let us all realise that whatever the difficulties and divisions may be, there is this underlying demand among all the Indian people.

"Mr. Butler did not suggest that the Government should publish any exact terms of reference of the Mission. We have set out the general purposes and it is our intention that they should be given as free a hand as possible.

"There will be matters undoubtedly on which it is necessary to refer back for Cabinet decisions but in our fluid position at the present time when we desire to get the utmost co-operation and goodwill between all leaders of Indian

opinion, it would be unwise to try and tie down those who are going out too rigidly.

"The obvious reason for sending out the Cabinet Ministers is that you send out persons of responsibility who are able to take decisions. Of course, there must be an area in which there may have to be a reference back.

"Mr. Butler had stressed the great part India had played in the war. It is worth remembering that twice in twenty-five years India has played a great part in the defeat of tyranny. Therefore, is it any wonder that today she claims—a nation of four hundred million people that twice sent her sons to die for freedom—that she should herself have freedom to decide her own destiny?

"My colleagues are going to India with the intention of using their utmost endeavours to help her to attain that freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide but our desire is to help her to set up forthwith a machinery for making that decision.

"There you have met with the initial difficulty of getting that machinery set up but we are resolved that a machinery shall be set up and we seek the utmost co-operation of all Indian leaders to do so.

"India herself must choose as to what will be her future situation and her position in the world. Unity may come through the United Nations or through the Commonwealth but no great nation can stand alone by herself without sharing what is happening in the world. I hope that India may elect to remain within the British Commonwealth. I am certain that she will find great advantage in doing so but if she does she must do it of her own free will, for the British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free people.

"If on the other hand she elects for independence—and in our view she has a right to do so—it will be for us to help to make the transition as smooth and easy as possible."

Mr. Attlee continued: "We have united India and given her that sense of nationality which she largely lacked in the previous centuries and she has learnt from us principles of democracy and justice.

"When Indians attack our rule they base their attack not

on Indian principles, but on the basis of standards derived from Britain."

Mr. Attlee said he was impressed by an event which occurred when he recently visited the United States. He was having dinner with a number of distinguished Americans and distinguished Indians and the talk turned on the way in which principles worked out in Britain were applied on the continent of America. It was pointed out that America had a great heritage from Britain. The Premier added :

"But my Indian friend said that Americans sometimes forgot that there was another great nation that had inherited those principles and that was India. We feel we have a duty, right and privilege, because we also bring to the world and work those principles that were evolved in Britain.

"I am well aware that when I speak of India I speak of a country containing a congeries of races, religions and languages and I know well the difficulties thereby created but these difficulties can only be overcome by Indians."

The Prime Minister went on : "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of a majority.

"We cannot dictate how these difficulties shall be overcome. Our first duty is to get a machinery of decision set up and that is the main purpose of the Ministerial Mission and the Viceroy.

"We want to see set up an interim Government—one of the purposes of the Bill which has been discussed today—to give the Viceroy greater freedom in order that in the period which is to elapse while a constitution is being worked out, you may have a government enjoying the greatest possible support in India. I would not like to fetter the Viceroy's decision in any way in regard to the choice of portfolios.

"In many Indian States great advance has been made and there is a most interesting experiment in Travancore. Of course, feeling in India with regard to nationalism cannot be confined by boundaries that separate the States from the provinces.

"I am hoping that statesmen of Britain and of Princely India will be able to work out a solution of the problem of bringing together the various constituent parts, and three

again we must see that Indian States find their due place. I do not believe for a moment that the Indian Princes would desire to be a bar in the forward march of India.

"This is a matter which Indians will settle themselves. I am very well aware of the minority problem in India. I think all Indian leaders are realising more and more the need for getting a settlement of these minority problems if India is to have a smooth passage in future years and I believe that due provision will be made for them in the constitution.

"The Mission will certainly not neglect this point. But you cannot make Indians responsible for governing themselves and at the same time retain over here the responsibility for treatment of minorities and powers of intervention on their behalf.

"We are mindful too of the position of the services and of the men who have done great service to India. India should be sensible of the responsibility she has to those who have served her.

"A government which takes over the assets of the government will also take over the liabilities. That again is a point to be dealt with later on. It does not concern the immediate setting up of the Instrument of Decision.

"With regard to the Treaty, we are not going to hang out for anything for our own advantage which would be to the disadvantage of India.

"Let me stress again the crucial nature of the task before us. This problem is of vital importance not only to India and the British Commonwealth and Empire, but to the world.

"In the mass of Asia, an Asia ravaged by war, we have here the one country that has been seeking to apply the principles of democracy. I have always felt myself that political India might be the light of Asia. It is a most unfortunate circumstance that just at the time when we have to deal with these great political issues there should be grave economic difficulties. In particular we have very grave anxiety over India's food supply.

"The House knows that the British Government are deeply concerned in this problem and the Minister of Food is now over in the United States with the Indian delegation. We shall do our utmost to help India.

"I do not think I should refer to the social and economic

difficulties except to say that I believe that these difficulties can only be solved by Indians themselves because they are so closely bound up with the whole Indian way of life and outlook. Whatever we can do to assist we shall do.

"My colleagues are going out to India resolved to succeed and I am sure everyone will wish them god-speed."

The first speaker in the general debate was Mr. Godfrey Nicholson (Conservative), a member of the recent Parliamentary Delegation to India.

He said he found India after eleven years' absence a changed country. She was now politically adult and was in the position of a young man who says to his parents, "I no longer want to remain under your tutelage. I wish to manage my own affairs."

He continued that the Cabinet Mission's main task would not be to make decisions but to get the Indians to make decisions and convince them of Britain's sincerity that she wished India to be free from direct control from the British Parliament and Whitehall in the near future.

Dealing with the question of Pakistan, he hoped the Mission would not be led away into doing more than making minimum decisions or placing the responsibility of boundaries on the shoulders of this country. That would be a cardinal blunder.

He added, "I am afraid of this Mission being led away to take too much upon itself and entering into commitments which we will find it hard to honour and will have little chance of success in India."

Mrs. Nichol (Labour), another member of the Delegation to India, said that a settlement of the Indian problem would provide the acid test of statesmanship for the Labour Government. There was no shortage of political leadership in India and there was a very high level of moral and intellectual integrity. Departure of the British could not be delayed and all that remained was the manner of their going.

Mr. R. Hopkin Morris (Liberal), member of the Delegation to India, said that everyone was anxious that India should take her rightful place in world affairs.

Professor Richards (Labour), leader of the Delegation, who was Under-Secretary for India in the first Labour Government, said the Mission was going out to assist at the birth of a new

era. If the democratic system of government could work under the difficult condition obtaining in India it would be the greatest object lesson the world had ever received in the power of democracy.

Sir Stanley Reed (Conservative), Chairman of the India and Burma Association and former Editor of the *Times of India*, thought that the personnel of the Mission was wisely chosen. He hoped that no one on the Conservative side of the House would boggle at the term independence.

All the years of his life in India going back nearly fifty years, he had confidently looked forward to the day when Britain could hand India over to her own people. He had always hoped that India would become one of the great self-governing Dominions, but if the Indians preferred full independence it should not be denied them.

He hoped the Mission would be empowered to take great decisions for nothing could be more unfortunate, or perhaps disastrous, than that they should return with a settlement of the problems still further postponed. If the Ministers took great decisions with courage, imagination and enterprise, they would have a solid body of support from all sides of the House and in the country.

Mr. Reginald Sorensen (Labour), another member of the Parliamentary Delegation to India, said that there was remarkable unanimity of opinion on both sides of the House. The reality of the Indian demand was now fully recognised. He believed that leaders of the Congress and the Muslim League earnestly desired a peaceful settlement, recognising that a civil war would be devastating.

Mr. Thomas Reid (Labour), who served twenty-five years in the Ceylon Civil Service, said that now Indian leaders were right up against it. They had asked for self-government and now the task of carrying it out was at hand. It would rest with them whether India should progress on the road to peace and prosperity or dissolve in chaos and ruin. There was neither political unity nor political uniformity in India, but it should be possible to provide some form of Central Government having the consent of a vast majority.

Mr. William Cove (Labour), who has been an active worker in the House of Commons on behalf of Indian independence, said that the very fact of a Labour Government

giving independence to India would rally progressive forces throughout the world. He believed that Pakistan as conceived by Mr. Jinnah was profoundly reactionary and could not be applied in India.

Sir John Anderson, Chancellor of the Exchequer in Mr. Churchill's Government and a former Governor of Bengal, hoped that there was no question in anybody's mind but that the future constitution of India must be framed in India by Indians.

"We have made it clear," he said, "that the British Government and the Parliament will accept any constitution framed by Indians in India which is acceptable to the main elements in India's national life. This fundamental position seems to me to be absolutely clear."

"We have said that India shall have, as far as we are concerned, the constitution she wants," said Sir John. "That means that the responsibility for enforcing law and maintaining the constitution passes from the British Government and from the Parliament of this country to Indians. It is on them that the responsibility must rest. It is they and they alone who must decide what the constitution must be."

"Similarly," he said, "the stipulation that a new constitution must be acceptable to the main elements in India's national life is fundamental. We cannot simply throw the apple of discord into the Indian arena and run away. To do that would be unworthy of ourselves and our past, and will be gross betrayal of these interests in India for which we have been responsible. There will be no room anywhere for any lingering suspicion that we in this country are relying on the prospects of disagreement in India to maintain our position there."

"Let that be made absolutely clear," Sir John continued. "It is emphatically in our interest that a solution acceptable to Indian opinion should be found speedily."

Declaring that Britain's position in India was becoming intolerable, Sir John said that solution of the Indian problem was not only inevitable and necessary but urgent. "The question here is not merely one of honour, and our honour is deeply pledged, but of our own interests."

Sir John Anderson said that by providing a machinery to facilitate deliberations between the Indians in framing a new

constitution. Britain could render great service and be of great assistance without attempting in any way to impose ideas of her own.

Sir John said there was the very important question of transitional arrangements to be put into force pending the framing and bringing into operation of a new constitution.

In regard to that, there had been a change of attitude on the part of the British Government since the Cripps Plan, Sir John said. In the Cripps Offer what was contemplated was that the discussions should be initiated on the setting up of a Constituent Assembly with certain terms of reference. Once that had been agreed upon, and the process of constitution-framing had been initiated, then, according to the declaration, the British Government might make a change in the Government of India at the centre.

Subsequently, he said, Lord Wavell was authorised to reverse the order of procedure, and he made proposals or suggestions which were discussed in India and which, at one time, seemed likely to be accepted. The proposals were directed towards a reconstitution of the Government of India on a more representative basis as a step primarily to the establishment of a machinery for setting up a new constitution. That was a matter to which the Mission might usefully and fruitfully devote its attention, Sir Anderson declared.

Sir John added: "While it is reasonable that the Mission should have considerable latitude, I hope they will not necessarily enter into actual commitments even in those matters, which may be regarded as still open for discussion, debate and negotiation because of the importance of preserving the responsibility of the British Government and Parliament."

"I think," he said, "that in order that whatever might be decided may endure and be the basis of a lasting settlement in India, that is of the most vital importance. I hope without attempting in any way to fetter the discretion of the Mission in regard to these matters, that they will endeavour to reserve as much as possible for a final debate and determination so far as the British Government and Parliament are concerned, until after they return to this country."

"I hope that British rule in India," he observed, "would

end with dignity and in an atmosphere of goodwill, favour able to the development of new and fruitful relationship based not upon the authority of the Crown and Parliament, but upon treaty or treaties freely entered into between sovereign nations."

Winding up the debate, which had been on a motion for adjournment, Mr. Arthur Greenwood, Lord Privy Seal, said that the Government had every right to express pleasure at the tone and temper of the debate. The people of India, he hoped, would read of this debate with some satisfaction. It had done something to clear suspicions from the minds of the Indian people who, he hoped, would regard it as an expression of Britain's genuine goodwill in facing a very difficult and complex problem.

"I think it is perfectly clear or it should be perfectly clear to the Indian people," he added, "that this country does not stand on pride or prejudice in dealing with the Indian problem. It can go from here now that with the Statute of Westminster on the Statute Book, this nation will never try to hold down the Indian people by force of arms. If they should elect for independence, who are we to say nay?"

He said that his colleagues in the Cabinet, who were going to India, were fully seized with the heavy responsibilities which lay ahead and were fully appreciative of the gravity and urgency of the task which faced them. They would leave this country shortly with higher hopes, knowing they were sustained by goodwill and fellowship of members on all sides of the House.

He assured Mr. Godfrey Nicholson that the Government had no other function than humble willingness to help. "The desire of my colleagues on this Mission," he observed, "is to help to the maximum and not do anything in the way of trying to impose any ideas on the Indian people which are foreign to them."

Proceeding, he said, "There is another side of this—the Indian side. If it can be made clear to the peoples of the various races, religions and castes in India that we are sincere in our purpose, that we mean to work out with them and to help them to come to their own final conclusions, for them to implement, our responsibility then ceases. There must be, on the other hand, an appreciation of the fact—

and this I think has often be-devilled our relations with India—freedom is not an honour that you can confer, freedom is a precious prize you have to win and earn.”

“We cannot give freedom to India,” he said, “we cannot make Indians happy, we cannot make the Indians prosperous: the most magnificent thing we can do is to create conditions which will enable them to lead freely their own lives with honour and dignity.”

“I hope,” he added, “the Indian peoples over the wireless and through their press will sense what has been the predominant emotion in this House today—a deep desire to see the Indian peoples living a free life in their own way and building for their own further freedom and prosperity. If the peoples of India will receive the Ministers with open arms in the same spirit, in which this House met them today, then I think this great adventure augurs well.”

A sense of urgency and sincerity pervaded the House throughout the debate. Every speaker without exception stressed the immediate need for finding a solution to India's problems and when the Prime Minister, Mr. Attlee, declared with more emphasis than he usually employs that it is up to India to decide what form of Government she shall have, Sir Stafford nodded his head in agreement.

Party differences appeared to have disappeared almost completely, though there was a note of caution in the opening speech of Mr. R. A. Butler who stressed the Opposition's desire that the position of the Indian States should be most carefully considered.

Mr. Butler's declaration that the Opposition, though at one with Government in desiring a solution, “do not want results at any price”, was received with general approbation, but it was Prime Minister Attlee's closing statement, “we are resolved to succeed”, that drew prolonged cheers and indicated the mood of Parliament.

III

BRITISH CONVICTIONS BROKEN

The cleverest and the most cunning British politicians laid it down as a self-evident proposition that India ought not to be free till her people were fit to use their freedom. This has been the conviction of the Great Britain and her allied imperialist Powers. Even the most recent Churchillian regime was the great exponent of the same old conviction. No doubt, some Prime Ministers in the past have given vent to fine sentiments. But these have been in the nature of throwing a sop to Cerberus. Mr. Attlee is perhaps the only Premier in the history of the British rule in India who has declared the maxim to be worthy of a fool who resolved not to go in the water till he had learnt to swim. His speech in the House of Commons will easily rank as the finest speech ever made by a Prime Minister of Britain on India. Mr. Attlee can rightly claim to be the first Prime Minister of Britain to express his readiness to liquidate imperialism in this country and one can hope that he will be the first Prime Minister to see the liberation of India, which will be an epoch-making event in the history of India and Britain alike.

"I can only point out certain things that struck me," said Pandit Jawaharlal Nehru while approached by the press correspondents. "One is that there is certainly a change in tone and approach in Mr. Attlee's speech—a pleasant change, if I may say so—and I welcome it, but I should like to add that expressions of goodwill, even couched in friendly tones, do not take one very far by themselves. They help in considering the subject but the main thing is what is to be considered and how.

"Obviously, we have arrived at a stage when no half-measures can be considered at all and only discussions based on the acceptance of Indian independence can bear fruit.

"Looking at this problem in a wider international context, it must be borne in mind that India is not willing to be bound down to any commitments. We have had enough

experience in the past of being dragged hither and thither in support of policies which we do not approve of. It will be for India to determine at any time what her foreign policy and foreign commitments should be.

"Naturally, India stands, and will stand, for world peace and for prevention of aggression, but we have seen often enough that in the name of democracy and fighting aggression, imperialist countries wish to retain their old possession or to expand them.

"The present international situation is significant of the failure of the high professions made during the war.

"The problems of subject countries have not been solved. There is talk still of holding on to empires and protecting the life-lines of empires. Each country accuses the other and each of the great Powers continues to be attracted by the smell of oil. It is difficult for an outsider to know all that is happening, but one inevitably suspects that this oily game is a dirty one.

"So in India we do not want to be dragged into any commitments which might be against our own interests or wishes in the future, but we shall certainly play our full part in international organisations like the U.N.O. to prevent war. One of the necessary steps for this is to remove the principal cause of war, *i.e.*, the desire to dominate over other countries. If this goes, other problems are easier of solution."

It would be desirable here to add to the length of the above brief comments a few words from Maulana Azad, the Congress President, to record his reactions on Mr. Attlee's approach :

"I consider that the speech of the British Prime Minister on the whole has helped to create the desirable atmosphere which we want to maintain during the stay of the Cabinet Delegation in India. It has thrown light on certain basic problems and I believe its spirit will generally be appreciated in the country. The real problem to be tackled now does not concern theoretical principles but actual practice and from this future results will naturally flow."

Referring to his interview with Mahatma Gandhi, Mr. H. N. Brailsford, a well-known English journalist, writes :

"Our talk took its start from the Prime Minister's recognition of India's right to choose independence. This, Gandhi

welcomed, and not only this, but the whole tone of the speech. 'But I can't forget,' he went on, 'that the story of Britain's connection with India is a tragedy of unfulfilled promises and disappointed hopes. We must keep an open mind. A seeker of truth will never begin by discounting his opponent's statement as unworthy of trust. So I am hopeful, and indeed, no responsible Indian feels otherwise. This time I believe that British mean business. But the offer has come suddenly. Will India be jerked into independence? I feel today like a passenger who has been hoisted in a basket-chair on to a ship's deck in a stormy sea and has not yet found his feet. There should have been some psychological preparation, but even now it is not too late. The tide of bitterness has risen high and that is not good for the soul. The last two months should have been filled with generous gestures. This is a milestone not only in India's history and Britain's, but in the history of the whole world.' 3645

The ninety-year-old bearded philosopher, Mr. G. B. Shaw, expressing his views on Mr. Attlee's declaration, said: "Indians may have to agitate for five hundred years or five months but will get independence in the long run." "Self-government always starts badly," he added, "but gets better as it goes on."

In a letter printed by the *New York Times* Mr. Louis Fischer asserts: "Mr. Attlee's declaration offering India her freedom may indicate that Britain is aware of its new position in the world and of the new mood in India. If the Attlee Government goes beyond the Churchill Government and the Cripps Offer of 1942, it may find India responsive especially in view of the imminent famine. Britain and certain Americans have always regarded India's independence as a threat and a danger. Mr. Nehru refutes this. He contends on the other hand that 'Indian freedom will link together the Middle East and China. India is so situated as to form the centre of a group of Asiatic nations for defence as well as trade and commerce.' The fact that Mr. Attlee offers to free India in the spirit of Mr. Nehru while Mr. Churchill urges an Anglo-American alliance, which would by implication hold India in the Empire demonstrates the superiority of Mr. Attlee and Pandit Nehru over Mr. Churchill. Mr. Nehru's solution is curative, therapeutic and democratic. It would extend the area of freedom."

Sardar Vallabhbhai Patel while referring to Mr. Attlee's speech made certain very striking points during the course of an interview to the press :

1. While I do not attach much importance to promises and declarations ; there is an undoubted ring of sincerity about Mr. Attlee's recent declaration.

2. India demands immediate transfer of power. She can brook no further delay.

3. The Congress is prepared to provide adequate safeguards to protect the legitimate minority interest, but is not prepared to accept Mr. Jinnah's demand for the division of India.

4. The Congress does not envisage any serious trouble if real power is transferred.

5. The next few weeks will present the biggest and perhaps the last opportunity to settle the Indian question amicably. The partition, as proposed by Mr. Jinnah, will not only be unfair to the Hindu and Sikh minorities in the Punjab and Bengal but actually endanger the safety of both the constituent parts."

Mr. K. M. Munshi advocates his stand for a strong national India and appreciates the spirit of the British Government's declaration in the following words :

"The British Prime Minister's announcement is historic, nay more, something unique. Since the beginning of history, no imperial power has conceded, even in words, to a subject nation independence so ungrudgingly and so unequivocally. The announcement, among other things, concedes :

"Firstly, India's right to be independent ;

"Secondly, democratic freedom, the right of majority to rule, subject to the minorities' right to be free from fear ;

"Thirdly, the right of India in the forthcoming negotiations for the transfer of power to reject terms manifestly disadvantageous to it.

"Nothing would be fairer, nothing more, so far as announcements go, could be achieved by war. These are words so far but these words are of men in earnest. If they deny them in deeds, the consequences, it is well known, will be disastrous not only to the parties concerned but to the whole world.

"This announcement is partly due to the world situation,

partly to the organised strength generated by Gandhiji, as Subhas Bose called him father of the nation.

"The Cabinet Mission is soon coming out to implement the announcement. Mr. Jinnah and Dr. Ambedkar are evidently perturbed. The former threatens civil war, the latter an appeal to an unknown power, unless they are permitted to impose their own conditions on national advancement.

"India is the only country where minorities have all rights and majorities have none—according to these 'apostles of action'. To them foreign rule is better than their own people's unless it be their own little group.

The Indian Princes, at all times impervious to their long-term interests, have had sad lessons in political subservience during the last war.

"The choice before them is to be the leaders of their own people or dependents of the Political Departments of the Government of India. They must realise that their own people are not theirs to order and that Britain cannot maintain them in pseudo-autocratic authorities for all time.

"The Pakistan creed—the creed of separation—must die. If it is a symbol of Muslim autonomy, the partition of the Punjab and Bengal is inevitable.

"The war of nerves in these two provinces will disappear once the Muslims and Hindus will be in an overwhelming majority in their respective territories and not till then.

"The Sikhs have developed an immensely stiff attitude. Perhaps in the Punjab the Hindus have rubbed them the wrong way. Perhaps a section of them have been dreaming like Mr. Jinnah, of a theocratic state.

'But the country, as a whole, is sound, national to the core.

"At all costs, India must have a plenary centre. Every day and every problem brings home to every reasonable person the supreme need of a strong national India, in order to meet exigencies of an highly inflammable international situation. We want India strong and free and we shall have it."

But Mr. Jinnah was perhaps the only man who fretted and fumed over the British Government's declaration: "A minority cannot veto over a majority." It made him realise

that the ground was rapidly slipping away from under his feet.

"I regret," he said, "that Mr. Attlee, though in a guarded and qualified manner, has done rope-walking when he said, 'On the other hand we cannot allow a minority to place a veto on the advance of a majority.' Yet he has fallen into the trap of false propaganda that has been carried on for some time. There is no question of veto or holding up the progress or advancement of a majority. The issue is, to give a simile, Says the spider to the fly, 'Walk into my parlour,' and if the fly refuses, it is said a veto is being exercised and the fly is intransigent. However, I note that the Prime Minister in the same breath says: 'We are mindful of the rights of the minorities and the minorities should be able to live free from fear.' I want to reiterate that the Muslims of India are not a minority but a nation and self-determination is their birthright.

"If the Cabinet Mission comes with an open mind, there is hope of their realising the true situation. If the expression that the Cabinet Mission is going 'in a positive mood,' means 'we are resolved that a machinery shall be set up by way of a single constitution-making body or a Constituent Assembly,' then it is futile for him to say in the next breath, 'We seek the utmost co-operation of all Indian leaders to do so.' Having said that, he goes on to say: 'The House realises the difficulty of the task which members of the Mission have undertaken in conjunction with the Viceroy and no one will desire to say anything that will make their task more difficult.' He himself has indulged in various expressions which are contradictory and are calculated to create misunderstanding.

"In one place he again says, 'But in our fluid position at the present time when we desire to get the utmost co-operation and goodwill between all leaders of Indian opinion, it would be unwise to try and tie down those who are going out too rigidly.' And I am glad he has realised it when he says further, 'You cannot make Indians responsible for governing themselves and at the same time retain over here (in England) the responsibility for treatment of minorities and powers of intervention on their behalf.'

"It seems that he was speaking to a larger audience with

many voices but so far as we are concerned, our position remains definite—that we stand for a division of India and the establishment of Pakistan and that is the only solution of India's constitutional problem. It will lead to happiness, prosperity and security to the two sovereign states and all the inhabitants of this sub-continent."

IV

FIRST PHASE OF WORK

The members of the Mission were destined to leave London on 19th March while one day earlier the Viceroy issued invitations for interview to the representatives of the various political organisations, the premiers of the provinces, his highnesses and other prominent personalities. The invitations were early enough to provide ample time to the invitees to meet the Mission at due dates or to arrange dates to their convenience.

On March 19, the three-man team left for India on their unprecedented mission, with high hopes for successful fulfilment of their task. From Northolt Aerodrome, just outside London, one 'plane left first carrying Mr. A. V. Alexander, First Lord of the Admiralty. It was followed by another which carried the two members, Lord Pethick-Lawrence, Secretary of State for India, and Sir Stafford Cripps, President of the Board of Trade.

Just before boarding the machine Lord Pethick Lawrence conveyed his thanks for the goodwill messages and expressed his confidence of the support of the British nation and that of the people of India as well. "We go out," he said, "to enable Indians to work out the structure of their own constitution, to secure for them freedom and to bring to the world peace in that part of Asia where India has a prominent essential position to hold."

Sir Stafford Cripps, who on a previous occasion tried to reach an agreement with India, said in the course of his farewell message: "I am embarking once again for India in the highest hope that on this occasion we shall be able to work with Indians and with the Viceroy to bring about fulfilment of the policy of which the Prime Minister spoke the other day."

"We are going to do all we can and we hope for good results," said Mr. A. V. Alexander expressing the intentions of the party with regard to their mission.

The Mission, it was declared, left with a national mandate, and there, on the eve of its departure, was how representatives of the three big political parties saw it. The Liberal leader Mr. Clement Davies said in an interview: "India today demands that she should guide her own destiny in her own way and that political power be transferred to Indian hands. Britain agrees that such transfer should be made."

Labour member Mr Reginald Sorensen, well known in both the countries for his interest in Indian aspirations, said: "I know from personal experience that interest in India, both inside and outside Parliament, has been stimulated by recent events in India to heights never before reached. There is a very real and persistent desire that bold and imaginative steps shall be taken to secure a settlement in which the views of India shall be fully appreciated and implemented. I hope, at the same time, for a new friendship between India and Britain based on a real and sympathetic understanding of India's problems which has become increasingly evident in this country of late."

Mr. R. A. Butler, former Under-Secretary for India, said: "There must be a settlement. We hope India will remain within the Commonwealth but it is for her to decide. It is important, however, that any settlement that is reached is an honourable one for Britain as well as for India. Britain has nothing of which to be ashamed in her record, and though we, Conservatives, would have liked to have known a little more of the terms of reference of the commission, we join with Parliament and the country in hoping for a speedy and successful conclusion. The Mission has been entrusted with one of the most important tasks in the history of this country. We all pray for its success."

All three members of the British Cabinet Mission arrived at Karachi on Saturday, the 23rd March which by a coincidence was the same date when four years ago Sir Stafford Cripps arrived in Delhi for the 1942 negotiations.

Lord Pethick-Lawrence and Sir Stafford Cripps arrived at 6-15 p.m. while Mr. A. V. Alexander and party reached Karachi at 10-15 p.m.

Undeterred by the rigours of the journey and looking fresh both Lord Pethick-Lawrence and Sir Stafford Cripps met a group of pressmen and answered a number of questions.

ranging from Pakistan to the Soviet threat.

In a statement, Lord Pethick-Lawrence said : " As my colleagues and I set foot on the soil of India, we bring to the people of this country, on behalf of the British Government and of the British people, a message of cordial friendship and goodwill. We are convinced that India is on the threshold of a very great future when in the exercise of her freedom she will stand for the preservation of civilisation in the East and bring her great influence to bear on the counsels of the nations.

" We have come but with one purpose in view. It is, in conjunction with Lord Wavell, to discuss with the leaders of India and her elected representatives how best to speed the fulfilment of your aspirations, to take full control of your own affairs and thus enable us to complete the transfer of responsibility with pride and honour to yourselves. The British Government and the British people desire without reservation to consummate the promises and pledges that have been made and we can assure you that in our negotiations we shall not seek to provide for anything that is incompatible in any way to the sovereign dignity of India.

" We have, then, with all our Indian associates, the common objective for the achievement of which all our energies will be devoted in the coming weeks. The precise road towards the final structure of India's independence is not yet clear but let the vision of it inspire us all in our renewed efforts to find the path of co-operation. I am confident we shall face our task together in faith and with determination to succeed."

Sir Stafford Cripps identified himself with the observations of Lord Pethick-Lawrence and said that a fuller statement will be made at Delhi at the press conference on Monday next.

Sir Stafford Cripps then replied to a barrage of questions. He said it was not true that a draft treaty of alliance between Britain and India was already discussed between Indian leaders and the British Government. We are just and we have come with an open mind. We are here to investigate and enquire all about that."

Asked about their views on Pakistan, Sir Stafford Cripps again emphasised that they had come with an open mind :

"We have not come with any set views. We are here to investigate and enquire about that."

Questioned if the Cripps proposals formed the basis of the present negotiations, Sir Stafford Cripps said: "We are not going backward. We are going forward."

As regards the possible duration of their stay, Sir Stafford Cripps remarked: "We have not decided about it. We ourselves do not know but we shall return only when our work is over."

Sir Stafford Cripps said that they had not come to adjudicate between rival claims in India but to find out the means for the transfer of power to Indian hands.

Sir Stafford Cripps, expressing satisfaction at the reception given to the statement on India of Mr. C. R. Attlee, British Prime Minister, said that it had the support of all the sections of British Parliament and people.

The three Cabinet Ministers arrived in New Delhi on 24th March. They were met at the airport by Lord Wavell who, according to well-informed quarters, would be closely and intimately associated with the negotiations between the British Cabinet Mission and the Indian leaders and representatives of provincial legislatures. In other words Lord Wavell would act as a fourth member of the Cabinet Mission and would be present alongside the three British Ministers at interviews with political leaders.

This was being done to avoid the mistake of the Cripps Mission when Lord Linlithgow was left alone, and, according to reliable information, pulled his weight against the success of the 1942 mission which resulted in virtual sabotaging of negotiations through his alliance with the Princes.

Before commencing contacts with political leaders from April 1, the first week was devoted to a series of private conferences between the British Delegation and the Viceroy, members of the Executive Council and Provincial Governors.

Fully posted with the currents and cross-currents of the Indian situation in political, communal and economic fields, the Mission, including Lord Wavell, interviewed Indian representatives.

"The discussions now to begin are preliminary to the setting up of a machinery whereby the forms under which India can realise her full independent status can be determin-

ed. The objective is to set up an acceptable machinery quickly and make the necessary interim arrangements," said Lord Pethick-Lawrence, Secretary of State for India, at a press conference on March 25.

"The issue of freedom and self-determination," he added, "is settled in principle. We have now to work out in co-operation the means by which Indians can themselves decide the form of their new institutions, with the minimum of disturbance and maximum of speed.

"The Indian States, which have a great part to play in India's future, must clearly be invited to join in this task. We are encouraged by the knowledge that many of the rulers share the general desire for the immediate attainment by India of her full freedom. In the meanwhile it is most desirable that a more representative Government, having full popular support, should come into being at the centre so as to bring the country through its period of transition.

"It is of the greatest importance that the transfer of responsibility should be smoothly and efficiently carried through. This is primarily an Indian, but also a British interest and it will be a fresh source of pride to India and to Britain if we can demonstrate to the world our ability to make a smooth and peaceful change of so far-reaching a character. It is to that end we have come to play what we hope will be a helpful part.

"Our talks will not be concerned with the question of whether India shall determine her own destiny that is already decided—but how she will do so.

"We have come with only one fixed intention, and that is to play our full part as representing His Majesty's Government in helping Indians to achieve their independence. Beyond that we have open minds and are not committed to any particular views. But that does not mean we have come in a hesitant or indecisive frame of mind. We have come to enable Indians to take their place and play their full part amongst the great nations of the world, with the determination to bring our discussions to a decisive and friendly conclusion. We hope with the goodwill of all the inhabitants of this great country, our task will be fulfilled."

On March 28 the Cabinet Mission had a conference with Provincial Governors. The Governors of Assam and

N.-W.F.P. met the Mission separately later in the evening to discuss special problems affecting their provinces.

This meeting was believed to have covered a wide field, including questions connected with political prisoners and the new ministries.

Next day, March 29, the Cabinet Delegation again had a conference with Provincial Governors which was a two-and-a-half-hour sitting. The discussion at this meeting ranged over the whole problem of India's future as it affected individual provinces. An important question discussed at previous evening's meeting of the Cabinet Ministers with the Governors of Assam and the North-West Frontier Province concerned the future of the tribal areas.

On April 1, Dr. Khan Sahib, the Frontier Premier, gave a start to the political leaders' interviews with the Cabinet Mission. He had an hour's meeting with the Ministers. On his emerging from the Viceroy's House, after meeting the Mission, Dr. Khan Sahib declined to divulge anything that took place but only assured : " I am always optimistic."

" Do you feel that there is reason to be optimistic now after your talk with the Ministers ? "

" I cannot give you a false answer. My position in regard to the present talks is plain. I want a united India—a whole India. I am an internationalist and I hope all Indians will develop such an outlook."

In an exclusive interview to the *Associated Press of America's* representative, who met Dr. Khan Sahib at his residence immediately after the Frontier Premier's interview with the Cabinet Ministers, he said : " We are not tolerant of each other's point of view. Hence all the troubles in India. All Indians are individualistic. That won't do. We must have breadth of vision and tolerance to embrace each other."

When the Doctor's attention was drawn to the recent observations of Mr. Jinnah, he said : " Mr. Jinnah is a big man and I do not want to criticise him. Much bitterness is caused by the press which sometimes indulges in abusing him. It is wrong to abuse a man simply because you do not agree with him on all points.

" The duty of the press is to encourage friendly relations between leaders. Our cordial social relations and under-

standing should not be embittered by political differences.

"I and Mr. Jinnah belong to two different ideological spheres. But this has not in any way altered my personal regards for him."

The same day the Secretary of State for India and the President of the Board of Trade lost no time in establishing personal contact with the Mahatma soon after his arrival in New Delhi. Sir Stafford Cripps was the first to meet Mahatma Gandhi to renew his old acquaintance.

Sir Stafford, accompanied by his Secretary, Mr. Blacker, drove to Mahatma Gandhi's residence in the municipal sweepers' quarters and spent an hour with the Mahatma. Sir Stafford Cripps arrived at prayer time and joined Mahatma Gandhi in the evening prayer. After the prayer, the two leaders retired into a lonely room and had a friendly chat for nearly an hour. Thereafter, Mahatma Gandhi accompanied by Sir Stafford Cripps drove to the residence of the Secretary of State and was in conference with him for seventy-five minutes.

This interview brought the Cabinet Mission's exploratory talks to a wider and fuller stage. Before meeting Mahatma Gandhi, the Secretary of State and other members of the Mission had seen Dr. Khan Sahib, the Frontier Premier, and Mr. Gopinath Bardoloi, the Assam Premier, and completed their study of problems peculiar to the north-west and the north-east frontiers of India.

Answering or eluding a series of questions from the press correspondents Sir Stafford Cripps said the very day :

"We have really no scheme either on paper or in our hands. So, its non-disclosure means nothing except that it is not there, and I hope that will be quite clear to everybody. As we see the situation, once independence has been decided upon—as, of course, it has been—it is our duty, that is the duty of the Mission, to do all we can to help in arriving at an agreement for the new constitutional structure for the carrying out of which, when it is formed and is in operation, we shall have no responsibility, because we shall be withdrawing from the scene of Indian Government entirely when that new constitutional structure is functioning."

On April 2 the Nawab of Bhopal, Chancellor of the Chamber of Princes, the Maharaja of Patiala, Pro-Chancellor,

the Jam Sahib of Nawanagar, the Maharaja of Bikaner and the Maharaja of Gwalior met the Cabinet Mission for seventy-five minutes.

The Nawab of Bhopal told pressmen that the talks were exploratory.

"We are all working for a Greater India," he said in reply to a question.

The Maharaja of Gwalior said that their talks with the Cabinet Mission had not yet reached finality.

Later, the British Ministers had talks with the Leaders of the Opposition in N.W.F.P. (Mr. Abdul Qaiyum), Assam (Sir Mohammed Saadullah), the Punjab (Nawab of Mamdot) and Sind (Mr. G. M. Syed).

The Cabinet Members visited Sir Tej Bahadur Sapru in the afternoon. Mahatma Gandhi was with Sir Tej Bahadur for about half an hour.

On April 3 the Cabinet Mission's exploratory talks were carried a stage further when Maulana Azad, the Congress President, accompanied by Mr. Asaf Ali, met the British Ministers and laid before them the Congress view-point regarding the future of India.

Maulana Azad had an hour and forty-five minutes' interview with the Cabinet Mission.

At 2-30 p.m. Sir Stafford Cripps called on Maulana Azad at his residence.

Maulana Azad met Mahatma Gandhi prior to Gandhiji's departure for interview with the Cabinet Mission at 4 p.m.

Mahatma Gandhi's meeting with the British Cabinet Mission lasted eighty-five minutes. He left the Viceroy's House at 5-25 p.m. He looked cheerful.

Asked by the *Associated Press* if he was meeting the Mission again, Mahatma Gandhi said: "Ask them, I am here at their behest."

Mr. Jinnah's interview with the Cabinet Mission lasted for three hours on April 4. As he came out he declined to say anything to pressmen and drove straight back to his residence.

Sir Ghulam Hussain Hidayatullah had half an hour's talk with the Cabinet Mission. Asked by pressmen as to the nature of his discussion, Sir Ghulam Hussain said: "Pakistan zindabad."

Sir Ghulam Hussain had an hour's interview with Mr.

Jinnah before he met the Mission.

Mr. Jinnah had ninety-minute talks the same day with Master Tara Singh at the residence of Sir Teja Singh Malik in New Delhi.

The Maharaja of Patiala, Prime Minister of Patiala and Giani Kartar Singh were also present.

Master Tara Singh was the first to meet the British Ministers on April 5. He had one-hour interview with them, Giani Kartar Singh and Sardar Harnam Singh, Advocate, were also present during the interview.

The Punjab Premier, Sir Khizar Hayat Khan, later met the Mission and had sixty-five minutes' interview. He spent another fifteen minutes with the Mission staff at the Viceroy's House.

Sardar Baldev Singh, Development Minister, Punjab, also met the Mission and remained with it for forty-five minutes.

Later the same day Sir Stafford Cripps met Sardar Patel and informally discussed with him some of the crucial issues, namely the establishment of an interim Government at the centre without delay and transfer of power to the people of India.

The position, which emerged from these talks, may be indicated as follows: That the Congress stands for the settlement of the Indian constitutional issue on the basis of (a) redistribution of provinces on linguistic basis; (b) self-determination for all sections of the people in every province; (c) subjects of common interests to all the provinces—not exceeding half a dozen at the most—to be administered by the centre; (d) exercise of all residuary powers by the provinces to be conceded with a view to securing amicable and honourable settlement between two major political parties in the country. In this connection Sardar Patel is understood to have laid stress on the fact that the Congress Sikhs and even the Princes clearly indicated their preference for united India with strong Central Government.

Next in the evening Sir B. L. Mitter, Dewan of Baroda, had a talk with Sir Stafford Cripps.

Mr. G. D. Birla also met him at the Viceroy's House.

Mr. M. R. Masani, M.L.A. (Central), had a twenty-minute talk with Sir Stafford Cripps which the former said was a friendly chat.

On April 6 the five Congress Priemers, Mr. Kher, Mr.

Harekrishna Mehtab, Mr. Srikrishna Sinha, Mr. Ravi Shankar Shukla and Mr. Pant, arrived exactly at 10 a.m. to meet the Mission. The joint meeting between the five Congress Premiers and the Cabinet Mission lasted about two hours and a half.

The impression among neutral observers regarding the interviews so far made with leaders of the main groups in the country seems to be that each party explained and extended its view-point without suggestions of compromise or harmonising differences.

Briefly put the Congress demanded full independence, an immediate interim Government at the centre approximating to a National Government, one constitution-making body with sovereign powers empowered to discuss and decide upon various schemes for setting claims and demands of parties within the country.

The Scheduled Castes as represented by Dr. Ambedkar did not want any constitution-making body and demanded separate electorates, separate from Hindus.

The Sikhs favoured a united India and adequate safeguards for Sikhs in the Central and Provincial Legislatures and the services, more or less on the lines of the pamphlet compiled by Sardar Harnam Singh, namely, *The Punjab, Homeland of Sikhs*.

The Princes wanted to fill in the details only after the Indian issue was settled and would prefer one constitution-making body and a united India and safeguards for their internal sovereignty.

Thus the process of interviews would go on during the next week with Nationalist Muslims, Hindu Mahasabha, Communists, Royists and a few others until the Cabinet Mission sojourned to the cooler heights of Kashmir.

Mr. H. S. Suhrawardy, prospective Premier (now Premier) of Bengal, met the British Cabinet Delegation on the morning of April 8 and had sixty-five minutes' talk. He told press correspondents that he discussed with the Mission his views on Pakistan and the future constitution of India. He said that the Mission was trying their best to find out a solution of the Indian problem but, he said, that it would be wrong on their part to give a solution that would bring about a miniature war.

The Opposition Leaders of Bombay and U.P. and the

prospective Opposition Leaders of C.P. and Madras also jointly met the Cabinet Delegation at noon.

In the afternoon the leaders of the All-India Depressed Classes League, Mr. Jiwan Ram, Mr. Radhanath Das and Mr. Prithvi Singh Azad, met the British Cabinet Mission for seventy-five minutes.

After the talks Mr. A. G. Jiwan Ram, President of the League, told press correspondents that they submitted a memorandum demanding statutory safeguards of the rights of the Depressed Class people in the new constitution. They were, he said, against separate colonisation but were for economic independence.

Mr. Jiwan Ram added that they were opposed to Dr. Ambedkar's claim to represent the Scheduled Caste people and said that they had submitted statistics to show the defeat of Dr. Ambedkar's followers in the recent elections.

The British Cabinet Mission carried its "exploratory talks" a stage further on April 9 when it heard three spokesmen of the Indian States—all experienced administrators and Dewans of leading States. These were the Nawab of Chhatari, Prime Minister of Hyderabad, Sir C. P. Ramaswami Iyer, Dewan of Travancore, who was also acting as spokesman not only of the South Indian States but also a number of other Hindu States in the north, and Sir Mirza Ismail, Prime Minister of Jaipur.

While the Prime Minister of Hyderabad was stated to have laid emphasis on the position that Hyderabad should occupy in any new constitutional set-up with particular reference to Hyderabad's treaty rights with the Crown, the Dewan of Travancore, speaking on behalf of a large number of States, emphasised four points :

- (1) That the States, which he represents, are totally opposed to Pakistan and are in favour of a united India with a strong Central Government.

- (2) That with the declaration of the independence of India, the British Crown cannot exercise powers of paramountcy and, therefore, the States will have to enter into agreements and treaties with the new free Indian Government.

- (3) That it is essential that the British Government should give a clear indication of its intentions to withdraw all controls, including military control, within a specified time-limit.

(4) That the Mission should without delay constitute a strong interim Government to deal with the many problems facing the country.

The Prime Minister of Jaipur, Sir Mirza Ismail, emphasised the need for the immediate creation of a National Government which should have full powers, pending negotiations for a constitution-making body.

In the afternoon Mr. Joshi, representative of the Trade Union movement in India, placed before the Mission his views on the urgency of solving the Indian problem.

On April 10 the representatives of three important minority communities, namely, Europeans, Anglo-Indians and Indian Christians, met the members of the Mission separately.

Mr. Frank Anthony, representative of the Anglo-Indians, in an interview emphasised that his community was Indian by nationality and Anglo-Indian by community.

He had told the Cabinet Mission that Anglo-Indians did not seek privileges and preferential treatment but only asked for recognition of certain rights in common with other minorities.

Amplifying the submission he had made to the Cabinet Mission on Pakistan, Mr. Anthony said: "As a community without sectarian leanings and imbued with a desire to see India really a great nation, the best interests of the country would be served by a politically united India with a strong centre. Before any decision is taken on the division of India we insist that such division be submitted to the test of plebiscite of the adult inhabitants of the areas concerned."

Mr. Anthony assured that his community would give to the future administration, whether Congress or Muslim League, the same loyalty and steadfastness which they extended to the administration in the past.

The same day, in his letter to Lord Pethick-Lawrence, Pandit Jawaharlal Nehru suggested that in the constituent assembly, proposed to be summoned to decide India's future constitution, the States' subjects should be given adequate representation—at least fifty per cent of the seats allotted to the Indian States.

The letter emphasised that independence conferred upon India would not be complete unless it was applied to the States' subjects also. It could not be conceived, Pandit

Nehru's letter further said, that while two-thirds of India enjoyed freedom and full self-government, one-third of India should remain under the autocratic rule of the Indian Princes without any representative assemblies or other institutions. Independence was not divisible, Pandit Nehru concluded.

On April 11 the Cabinet Mission interviewed Miss Maniben Kara and Mr. B. G. Karnik of the Radical Democratic Party, Mrs. Hansa Mehta, President of the All-India Women's Conference, Dr. M. R. Jayakar, a member of the Sapru Committee, and Mr. Kiran Shankar Roy, Congress Opposition Leader in the Bengal Legislative Assembly.

All the five interviewers emphasised the need for an immediate solution of the Indian question on the basis of an undivided India with a strong Central Government. They also stressed the need to have a broadbased provisional interim Government, whose task will be energetically and effectively to tackle all problems with an eye on the general good of the mass of people of the country, irrespective of caste or creed.

Miss Maniben Kara, who presented the Mission with a written memorandum, demanded the creation of a provisional Government whose principal purpose will be the amelioration of the condition of the masses. She did not want any special privileges or safeguards for the working classes whom her party claimed to represent.

Mrs. Hansa Mehta told the Mission that the All-India Women's Conference stood solidly behind India's demand for full independence and the immediate transfer of power. She pleaded for a united India with a strong Central Government. She condemned separate electorates which had sown the seeds of disruptive tendencies among the people of India and said the women of India were quite prepared to cast their lot with the rest of India, although they were fully aware of the uphill task they had to accomplish in bringing about 'equality of status for Indian women.

Asked why Muslim women had been elected from Muslim constituencies and Hindu women from general constituencies, Mrs. Hansa Mehta told the Mission this was because of the existence of separate electorates.

Asked if the Women's Conference had branches all over India, she told the Mission that the All-India Women's Conference had branches in all parts of the country and its

members did not think in terms of community or caste. She told the Mission that two ex-Presidents of the Conference were Muslims, and two of the present office-bearers were also Muslims. The All-India Women's Conference, though not political in conception, stood for complete independence.

Dr. M. R. Jayakar, whose interview with the Mission lasted an hour, is understood to have made an impassioned plea before the Mission for an immediate decision on the Indian question on the basis of complete independence and undivided India.

Dr. Jayakar indicated that the vast majority of the people of India, except the Muslim League, were opposed to the idea of Pakistan and they would resist any attempt to force Mr. Jinnah's Pakistan down the throats of the Indian people. He could not conceive how the British Government which had done everything in its power during the last one hundred and fifty years to unite India could be a party to the division of India. In the present world context any division of India would prove disastrous, not only from the point of view of India but from the point of view of Britain and from the international view-point.

Dr. Jayakar, therefore, urged on the Mission not to do anything that would destroy the unity of India built up as a result of years of work.

Dr. Jayakar also pleaded for the immediate creation of a Central Government with popular support, able energetically and effectively to tackle the numerous problems facing the country.

Dr. Jayakar drew pointed attention of the Cabinet Mission to the proposals contained in the Sapru Committee's report, the framers of which had gone to the maximum extent to allay Muslim fears and apprehensions.

The same day the Cabinet Mission issued a statement during the course of which they said :

"The Cabinet Mission came out with the view that a speedy settlement of the outstanding questions was essential. They have since their arrival heard the opinions of the most important political elements in India. Accordingly, they are now proposing to enter on the next and most important phase of the negotiations. It is a phase which calls on the utmost efforts from the leading statesmen of India, and from the

Cabinet Mission, to arrive at a solution acceptable to all sides. The Mission are confident that at this great moment in the history of India, it will be possible with mutual goodwill to reach that decision which the people of India so anxiously awaited and which will be welcomed throughout the world. The Mission hope that much progress towards this will be made before they leave for recess at the end of next week. During the absence of the Delegation, there will be an opportunity for decisive consultations between the Indian parties. When the Mission return, they hope to find sufficient elements of agreement on which a settlement will be based."

On April 12 Mr. Sarat Chandra Bose, Leader of the Congress Party in the Central Assembly, met the Cabinet Mission and had a fifty-minute talk with them.

Mr. P. J. Griffiths, Leader of the European Group in the Central Assembly, had a forty-five-minute talk with the Cabinet Mission. After the talk he told pressmen that he completely supported the immediate establishment of self-government in India. He said that Europeans in India had come as traders and would in future like to continue as traders in cordial terms of friendship.

Pandit H. N. Kunzru, Member, Council of State, had a twenty-minute discussion with the British Cabinet Mission. He told pressmen after the interview that he pleaded for a united India.

Mr. Hussain Imam, Leader of the Muslim League Party in the Council of State, had a thirty-five-minute talk with the Cabinet Mission. After the talks he told pressmen that he told the Mission that Muslims should have Pakistan and nothing less than Pakistan.

In the evening the same day the members of the Congress Working Committee met the Cabinet Mission at an "at home" During the meeting, which lasted ninety minutes, the Ministers had an opportunity of informally talking to and ascertaining the views of the members of the Congress Working Committee.

Mr. C. Rajagopalachariar dined with the members of the Cabinet Mission that night and had a long informal talk on the constitutional question.

On April 15 Hindu Mahasabha leaders, Dr. Shyamaprosad Mukherjee and Mr. L. B. Bhopatkar had an hour's talks with

the British Cabinet Mission. After the talks Dr. Mukherjee told pressmen that he had a very vigorous discussion from the Hindu point of view regarding the formation of India's new constitution. He said that he urged on the Mission the need for an immediate solution of the Indian problem. Hindus, he said, did not require any special favour but all they wanted was to be democratically ruled without being partitioned off.

A memorandum was submitted by the Hindu Mahasabha to the Mission stressing India's integrity and indivisibility and opposing the scheme of territorial self-determination. (See Appendix C-I.)

The All-India Hindu Mahasabha's memorandum to the Cabinet Mission proposes a federal Indian Union at the centre as India's future constitution with provinces and Indian States as federating units. Provinces or States should not have the option either to accede or to secede. The constitution should provide for the grant of utmost autonomy to federating units with residual powers vested at the centre.

On April 16 Sir Cowasji Jehangir had a thirty-five-minute talk with the British Cabinet Mission. After the talks he told the pressmen that both the major political parties in India should come to a compromise, if not the sheer force of public opinion would force them to do so.

Sir Cowasji put the point of view of the Parsee community before the Mission. He submitted a memorandum stating the past achievements of the Parsee community in India, and also asking for its recognition in the future constitution by providing suitable safeguards for the community's representation.

Also met the Cabinet Mission the same day Maulana Hussain Ahmed Madni, President, Nationalist Muslims Parliamentary Board, along with some other Nationalist Muslims.

At about 11 a.m. the British Cabinet Mission entered "the crucial stage of negotiations" with important talks with Mr. Jinnah.

The British Ministers did not give any indication of their own mind, but asked Mr. Jinnah broadly three main questions: Firstly, what is the minimum that would satisfy him for an interim Government; secondly, what is the compromise he would like to make with the Congress and on what

conditions and whether he would want one or two constitution-making bodies or one constitution-making body, with two compartments; thirdly, whether he would accept confederation of two or three federations for purposes of administering common subjects like defence, communications, currency, etc.

Mr. Jinnah was asked whether he could accept experimental period of five or ten years for joint working of federal constitution with utmost autonomy for units and plebiscite thereafter and whether he would accept the boundary commission to demarcate the homogeneous area.

The other points raised related to safeguards for minorities in autonomous units, position of Indian States and formation of an interim Government.

On April 17 Maulana Azad met the Mission for the second time and had a talk for one hundred and twenty-five minutes, during the course of which was conveyed to him something of the main conclusions to which the previous twenty-four days of study and discussion had led the Delegation.

Soon after his return from the Viceroy's House, the Congress President met Mahatma Gandhi and members of the Working Committee at the sweepers' colony and acquainted them with what transpired between him and the Mission.

The Mission also granted interviews to Sir T. S. Rajan, President of the Justice Party, Madras, and Mr. P. C. Joshi, General Secretary of the Communist Party of India.

Mr. P. C. Joshi told pressmen that he had submitted a memorandum stating the Communists' solution of the Indian problem, which he considered was very practical. (See Appendix C-III.) He said that he urged on the Mission the need for early withdrawal of British power in India so that the Indian parties might be left free to themselves to arrive at a solution.

Sir T. S. Rajan told an *Associated Press of India* reporter that the main parties in India should give up the "pound of flesh" mentality and come together to bring about a solution which will give the country peace. Hindus and Muslims had lived for centuries together and if we tried earnestly, it should not be difficult to arrive at a solution.

The Cabinet Mission now came to the end of formal interviews. No official engagements were fixed for them for the next day and they left for Kashmir on Friday, April 19.

THE CRUCIAL STAGE

Judging from talks in well-informed quarters, the position that emerged after four weeks of contacts and consultations between British Ministers and Indian leaders was as follows :

Firstly, the Congress and the rest of the country, except Mr. Jinnah, definitely and unequivocally were against acceptance of the Pakistan demand and separation.

Secondly, this fact had been brought home to the Cabinet members in unmistakable terms. British Ministers had also been told that neither the idea of two federations—Pakistan and Hindustan—with a confederation at the centre nor a treaty of separation between Pakistan and Hindustan, involving common subjects like defence, external relations, currency, trade, communications, etc., would be accepted by the Congress and others.

Thirdly, the Congress leaders made it abundantly clear to the Cabinet Mission that they would not accept an “arranged” centre but must insist on a strong and live centre with the utmost autonomy for the federal units, which would enjoy residuary powers and definite and defined subjects for the centre and the provinces and a concurrent list.

Fourthly, Congress leaders would accept setting up of a demarcation commission to redistribute provincial boundaries on established principles.

Fifthly, the Congress High Command would join an interim Government under the present constitution, without prejudice to the future constitutional structure to be evolved through the constitution-making body. This was to be done on the basis of recommendations of the provinces with the Viceroy's discretion to nominate three or four seats to redress minority inequalities and accord representation to special interests.

As far as could be known by then, Mr. Jinnah stood for his pound of flesh and had not reacted favourably to alternatives of either confederation or international arbitration or an

interim Government without commitments for the future.

All indications, however, pointed to the emergence of an interim Government and setting up of a boundary commission, although the British Ministers, while hearing the suggestions, had not indicated how these would be done.

The Cabinet Mission still pinned its faith in being able to secure agreement between the main interests. The crucial stage in the Mission's negotiations with the Indian leaders began with the return of the British Ministers from Kashmir. They had returned with renewed determination to direct all their efforts in that direction. They postponed the ideas, which occurred to them before leaving for Kashmir, of making a formal declaration to selected representatives of the Congress and the League on or about the 25th April. Instead they liked to watch the reaction to their tentative proposals on part of the Congress and the League so that they might be modified here and there, if necessary, to harmonise, as far as possible, the apparently conflicting view-points before making a formal declaration about their award if they came to that.

The slow-moving Cabinet Mission drama now entered a new phase. The Congress-League conference was summoned. Hitherto the Cabinet Mission's talks had been confined to party individuals and party organisations. For the first time now the Cabinet Mission proposed to meet at the same table and at the same time the representatives of two major political parties, the Congress and the League. The utility of this round table conference would have been enhanced if the representatives of minorities like the Sikhs had been invited.

Too many conferences, like too many cooks, spoil the broth. The time was to stop the exploratory activities and come to the transaction of transferring power to India. The Cabinet Mission must lay its cards on the table and make it clear to one and all that the promise, which Mr. Attlee had made to India that the minorities would not for ever be allowed to hold the advance of the majority, would be carried out. The division of India was a matter that vitally concerned not only one particular community but the entire country and the matter must be decided not by the vote of any particular section of the population but by all sections of the population.

The time had come for the Mission to place concrete

proposals before the conference and it was suggested by the entire press in India that if the conference failed to reach an agreement it was the duty of the Mission to take the next step.

On the eve of trek to Simla, there were definite indications of pessimism regarding the outcome—until eleventh-hour developments took place and the British Mission took a different attitude and propounded different formula for the solution of Indian problem. It was well known that the Mission's outlines of the basis for discussion had been strongly objected to by Congress leaders and Gandhiji and even Mr. Jinnah had not indicated acceptance thereof.

This is important as the invitation to the Simla Conference had been based on the acceptance of the basis of discussion outlined by the British Delegation.

The basis of negotiations were, of course, the tentative proposals contained in Lord Pethick-Lawrence's letter to the Presidents of the Indian National Congress and the All-India Muslim League.

Those proposals were :

(1) There is to be an Indian Union which will control defence, foreign affairs and communications ;

(2) The provinces will have all other powers, including residuary powers and they will be free to group themselves according to predominance of population into Muslim and non-Muslim zones for purposes of administering subjects of common interests ; and

(3) The Indian States will enter the Indian Union at a later stage after negotiating the basis of their entry into the Union Government.

Though both the Congress and the Muslim League decided to accept the invitation of the Cabinet Mission and participate in the joint talks, no common ground had been discovered between the two organisations. The tentative proposals made by the Mission, that formed the basis of discussion, had conceded in substance the demand for Pakistan. That was the reason why those proposals had a hostile reception in Congress circles ; and if, in spite of its having fundamental objection to them, the Congress had agreed to participate in the Tripartite Conference, it was to find out whether the British Ministers were still animated by the "Attlee" spirit

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and were anxious to reach a settlement on the Indian problem acceptable to the overwhelming majority of the people. Premier Attlee had in his speech in Parliament declared in unequivocal terms that the negotiations could be conducted on the basis of complete independence and that a minority would not be allowed to impede the political progress of a majority. But the manner in which the Ministers were trying to tackle the Indian problem and the excessive consideration they were showing to the forces of communalism and reactionarism, had created a feeling of pessimism in political circles in India; and at the present stage it was doubted whether the Mission would at all succeed in achieving the object for which it had come out to India.

The acceptance by the Congress of the invitation of the Mission to participate in the Simla talks, in spite of its having basic objection to its tentative proposals, was looked upon with suspicion in Indian nationalist quarters and it was felt that the Congress might yield to communalism in its anxiety to appease the Muslim League clique. But the statement issued by Maulana Azad, clarifying the Congress attitude, allayed fears and set doubts at rest. The Maulana reiterated the Congress stand for a united India through federation, one centre, full autonomy and residuary powers to provinces, and two lists of central subjects, one compulsory and the other optional; and declared that the Congress would not yield on any of the fundamental points.

The Viceroy and members of the British Cabinet Mission arrived in Simla on Wednesday, the 1st of May. Maulana Abul Kalam Azad and Sardar Patel also arrived the same day.

With the arrival of the Viceroy and the Cabinet Mission in Simla the centre of gravity of the fateful talks had shifted from Delhi to Simla. The Simla settings provided a characteristic contrast between 1945 and 1946.

Last year the Wavell Conference commenced on the 25th of June and ended unsuccessfully on the 14th of July, with a fortnight's interval for adjournment. This time, the conference started on Sunday, the 5th of May, and no one could foretell how long it would last.

On the last occasion optimism prevailed at a high pitch; this time commentators were cautious.

Last year Simla was overcrowded. The Congress and the

League High Commands came in full force and other parties were also represented. This time the Congress, the League and the British had four representatives each and the issues much more fundamental and vital. It was intended to solve the Indian problem once for all.

The Wavell Conference last year was concerned mainly with interim arrangements since the war was still on. The members of the Viceroy's Council, the European civilians and the provincial premiers all pulled their weight against a settlement. This time the issue was being discussed at a triangular level.

The Tripartite Conference met in Simla around a brilliantly polished table in the Viceroy's summer lodge which overlooks the pine-covered foothills of Himalayas and is a truly beautiful spot. It was the scene either of a historically peaceful agreement of self-government for India, or of a collapse and failure that was expected to bring on a revolution against the British complicated by civil strife among between the Muslims and Hindus.

The Conference opened on May 5 at 10 a.m. and adjourned at 12-30 p.m. while the second session commenced at 4 p.m. and adjourned at 5-30 p.m. The first sitting of the Conference was devoted mainly to the settling of the preliminaries of procedure.

The Secretary of State, Lord Pethick-Lawrence, in his speech surveyed the scope of the discussions that opened.

Maulana Abul Kalam Azad, the Congress President, thereafter reiterated the Congress stand and made it clear that the Congress had gone the maximum extent to meet the legitimate grievances of the minorities, particularly the Muslims, in the formula which was enunciated in his statement issued from Delhi on April 15. Maulana Azad emphasised that the Congress could not agree to any scheme or proposal for a new constitutional set-up which envisaged division of the country. The Congress stood by its policy of unity of India through federation, with the provinces exercising the maximum amount of autonomy including residuary powers. The Congress could not also lose sight of its main objective, namely, Indian independence. No scheme or proposal which militated against these two cardinal principles of the Congress—unity and complete independence of India—would be acceptable to

the Congress.

The League Leader, Mr. Jinnah, had not yet made any speech.

The general discussion that followed the reading of the letters of the Congress President and the Muslim League President was of a general character.

The Conference was expected to get into grips with details the first thing the next day.

The following official *communique* was issued at the end of the Conference on May 5 :

"The Conference of the Cabinet Mission, the Viceroy, the representatives of the Congress and the Muslim League met today in two sessions from 10 to 12-30 and from 4 to 5-30 p.m. The Conference after preliminary statements made by the parties discussed the arrangements for their sittings and then proceeded to deal with the agenda. The first item discussed was the question of a Union Centre for all India.

"It was agreed by the Conference that no statements would be made to the press by any member, but that an official statement will be issued each evening.

"The Conference appointed a committee consisting of Mr. Vallabhbhai Patel, Nawabzada Liaquat Ali Khan and Sir Stafford Cripps to settle the terms of the press *communiques*.

"The Conference decided that it would meet twice every day."

On May 6 it was gathered that the Conference had entered the domain of discussion of the issues before it as adumbrated in the proposals which were made by the Mission to the Congress and League Presidents.

According to the official *communique*, the Conference met on 6th May from 11-30 to 1-30 and again from 4 to 6 p.m.

"They decided," the *communique* adds, "to adjourn until Wednesday, 3 p.m., in order to think over and discuss the points that had been raised. The Conference considered the questions of provincial powers, of the grouping of provinces and of the constitution-making machinery."

Following the adjournment of the Tripartite Conference till Wednesday afternoon, Maulana Azad, Pandit Nehru and Sardar Patel went to Gandhiji to report the talks which they had at the two sittings of the Conference. Immediately after Mahatma Gandhi received a request to meet the Cabinet

Mission and the Viceroy. Accordingly, he drove to the Viceregal Lodge at 7-30 p.m. and he was with the Viceroy for ninety minutes during which they covered the entire field of discussions that had taken place during the last two days.

Interviewed by the *United Press of India* about the negotiations with the Cabinet Mission, Dr. Rajendra Prasad observed that discussions were now approaching a decisive stage. He added : " The Conference which is now being held at Simla may or may not succeed. The gap between the Congress and the League has not yet been bridged. And so, it will not be appropriate for me at this stage to publicly discuss the proposals which the Mission has sent to the Congress but this much may be said safely that they do not meet the Congress view-point. It is best, however, to await the results of the discussions."

The deadlock within only two days of the meeting of the Tripartite Conference did not cause any surprise in quarters that had been closely following the trend of the discussions. No doubt at the suggestion of the Mission, both the Congress and the Muslim League High Command agreed to participate in the joint discussions at Simla, but from the very outset it was known that there was no common ground between the two and that their participation in the Simla Conference did not commit either party in any way. It was, however, hoped that with the assistance of the British Cabinet Ministers, some such formula might be evolved as would be acceptable to the Congress and Muslim League representatives. But this hope did not dissipate the atmosphere of uncertainty and gloom that prevailed on the eve of the Simla Conference. There were some who did not hesitate to predict that the failure of Conference was inevitable. Their contention was that as soon as the Conference got down to brass tacks, irreconcilable differences would appear, making a settlement well-nigh impossible. This is what exactly happened. As soon as the Conference settled down the consideration of the main issues, it was found that there was no common ground between the Congress and the League.

According to the *Tribune*, the deadlock arose on the functions, powers, scope and jurisdiction of the Union Centre and over the question of the readjustment of provincial boundaries. " Even before the Simla Conference

assembled," the *Tribune* adds, "the Congress made it clear that it would not agree to a loose or illusory centre. That point of view is reported to have been emphatically expressed by the Congress delegation at the Conference. If India's unity and integrity have to be maintained, the Union Centre must be a real living thing, especially when, with the exception of a few all-India subjects, all important subjects are to be transferred to the provinces and even the residuary powers are to be vested in them. For the administration of those subjects the centre must have effective powers to raise money. But it seems the Muslim League insists on the creation of Muslim and non-Muslim States, having separate arrangements for defence, though it agrees to have a central authority for the mere purpose of co-ordination and exchange of defence plans, depending for its subsistence on doles from sovereign provinces. No one—not to speak of the Congress—who wants a strong India will for a moment agree to create a central authority on the lines suggested by the Muslim League. It would be better not to have such an authority than to have an authority which for all practical purposes will be illusory."

The Tripartite Conference, which was to meet on May 8, was postponed for a day. This interval was utilised by the Congress and League representatives to examine the fresh proposals, which the Cabinet Ministers put forward.

The proposals concern the setting up of the Central Government which should function, if an interim Government by agreement between the two parties in accordance with the Mission's declared intentions failed to come into being.

The Conference met again on May 9, and after some discussions the Conference had a short interval while Mr. Jinnah and Pandit Jawaharlal Nehru met and it was subsequently decided to adjourn the Conference until Saturday, 3 p.m. This meeting between Pandit Nehru and Mr. Jinnah was the first during the last seven years. The last time they met was in September, 1939.

Ninth May was the day of quick and dramatic developments. All the members of the Executive Council, including His Excellency the Commander-in-Chief, placed their respective portfolios at the disposal of His Majesty the King and of His

Excellency the Viceroy, in order to facilitate the arrangements which the Cabinet Mission and the Viceroy were seeking to make.

Pandit Nehru and Mr. Jinnah met again on May 11. The basis of talks between the two leaders was likely to be on the following lines :

(1) The British Government to make a formal declaration conceding full independence to India concomitant with the right of sovereign status.

(2) Establishment of a strong Union Centre with full powers and status which will be necessary for the administration of Defence, Foreign Affairs and Communications.

(3) The Congress to agree to the principle of Pakistan on the basis of self-determination.

(4) The Muslim League to agree to transfer such subjects as Currency, Customs and Tariff for maintaining and financing the strong Union Centre.

As all efforts to produce an agreement between the Congress and Muslim League on the question of a long term settlement had so far failed, the Conference ended on 12th May quite unsuccessfully.

Following the failure of the Tripartite Conference the Cabinet Mission and the Viceroy in a statement said that they wished to make it clear that end of the Conference did not in any way bring to an end the mission with which they were charged by His Majesty's Government and the British people. The points of fundamental difference which caused the failure of the Simla Conference were revealed in the tripartite correspondence. (See Appendix D-I.)

Letters exchanged by the three parties set out the principles and suggested points of agreement put forward by the Cabinet Mission, a memorandum embodying the minimum demands of the Muslim League and points suggested on behalf of the Congress as basis of agreement. (See Appendix C-I.)

The Conference, which opened on Sunday, May 5, came near breakdown on May 8. On that date Mr. Jinnah, in a letter to the Secretary of State, said that no useful purpose would be served by discussing the points suggested by the Cabinet Mission. In a letter dated May 9, the Congress President stated that the Cabinet Mission's suggestions were not acceptable, and went on to suggest the formation of an

interim provisional Government and reference to an independent tribunal of matters in dispute concerning the constituent assembly.

Meetings between Pandit Nehru and Mr. Jinnah followed in letters concerning these meetings. Pandit Nehru discussed the question of choosing a suitable umpire and said it would be desirable to exclude Englishmen, Hindus, Muslims and Sikhs. He added that he and his colleagues had drawn up a list from which a choice could be made and he presumed that Mr. Jinnah had also prepared a list of possible umpires. Mr. Jinnah replied that in their meetings not only the fixing of an umpire but several other points were discussed and that no agreement was arrived at on any of them.

When one of the parties was not prepared to budge an inch from the unreasonable position it had taken up and wanted the agreement, if at all, only on its own terms, the negotiations were bound to end in smoke. This was what had exactly happened at Simla. As on the occasion of the Simla Conference of 1945, so also on this occasion the Congress went as far as possible—and critics were not lacking who sincerely felt that the Congress went perilously near conceding Pakistan to which it was fundamentally opposed—to accommodate the Muslim League; but the latter not only did not reciprocate its sentiments but, as it then appeared, insisted on Pakistan being made the *sine qua non* of any settlement. It was inconceivable that any settlement would have been possible under such circumstances. Thus the history of the last year has been repeated. The 1945 Conference foundered on the rock of Muslim League intransigence. The tripartite confabulations have also foundered on the same rock.

VI

INDIA FOR INDIANS ?

When all hopes of a settlement between the Congress and the League failed, every one in India and abroad looked with questioned eyes and a common query on everybody's lips was "what next ?".

The Simla talks were only a phase in the work of the Ministers to find a solution of India's problem. The failure of those talks meant the ending of the particular phase and not of the mission entrusted to them, namely to take steps to hand over power to Indians. Thus the Simla break-down did not absolve the British Government or their representatives in India of the responsibility of taking the next step to make India the mistress in her own house. On the other hand it increased their responsibility of fulfilling the solemn pledges held out to India. Even before the Cabinet Mission left Britain, the British Government fully knew the difficulties in the way of inter-party negotiations in India reaching a successful stage. It was his consciousness of this outstanding fact in the Indian political situation that made Premier Attlee declare in his historic speech in the House of Commons on March 15 : "We are mindful of the rights of the minorities, the minorities should be able to live free from fear. On the other hand we cannot allow a minority to place veto on the advance of the majority." So far the Cabinet Ministers had proceeded on the assumption that there should be an agreed settlement between the Congress and the League. In fact the manner in which it proceeded with its business, and especially its tentative proposals that formed the basis of the Simla discussions, indicate that the Cabinet Ministers had been laying too much emphasis on the communal aspect of the Indian problem. No wonder they were confronted with the League veto on the political progress of India. They could not go forward without overriding this veto,—without making it clear to all concerned that they would not allow this veto to impede India's advance to her heaven-appointed

destiny. Once they had made this clear beyond any shadow of doubt half of their difficulties would have been over. A declaration of this kind on their part would have brought the intransigent elements in India's political life into a reasonable frame of mind and facilitated their own task of reconstituting the Central Government and setting up a machinery for framing a constitution for India.

The statement, the Cabinet Mission issued on May 16, embodied the new British proposals for the future Government of India. (See Appendix B-I.) It was acclaimed by the entire Indian press as a landmark in the political history of this country. Even as big a leader as Mahatma Gandhi commended the proposals by saying that they contained the seed to convert this land of sorrow into one without sorrow and suffering. He asked the people to examine the proposals not from a parochial standpoint but that of the whole country.

The statement began with quoting the historic words of Premier Attlee that the Mission were going to India to make utmost endeavours to help her to attain freedom "as speedily and fully as possible," and said that in view of the failure of the Congress and the Muslim League to come to a settlement, the Ministers thought it their duty to put forward their own proposals to ensure the speedy setting up of the new constitution. These proposals dealt mostly with the long-range constitutional settlement, though the Mission "recommended" the setting up immediately of a government enjoying the support of the major political parties in India for the transition period. So far as the interim Government was concerned the Mission declared that the Viceroy's Executive Council should be entirely Indian and that all portfolios, including that of the War Member, should be held by Indians. This was really an advance on all the previous proposals which envisaged the Commander-in-Chief as being solely responsible for Defence.

The new British plan for India made six major proposals with full approval of the British Government :

Firstly, there should be a Union of India, embracing both British India and the States which should deal with foreign affairs, defence and communications and should have the power necessary to raise the finances required for these subjects.

Secondly, the Union should have an Executive and a Legislature constituted from British Indian and State representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities (Congress and the Muslim League) as well as a majority of all members present and voting.

Thirdly, all subjects other than Union subjects and all residuary powers should vest in the provinces.

Fourthly, the States retain all subjects and powers other than those ceded to the Union.

Fifthly, the provinces should be free to form groups with Executive and Legislatures and each group could determine the provincial subjects to be taken in common.

Sixthly, the constitutions of the Union and of the groups should contain a provision, whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten-yearly intervals thereafter.

The Mission stated that it was not their object to lay out the details of the constitution, but to set in motion a machinery whereby the constitution could be settled by Indians for Indians. They made this recommendation as to the broad basis because it became clear to them in their negotiations that not until that had been done was there any hope of getting the two major communities (Hindus and Muslims) to join in setting up a constitution-making machinery.

Next, the Mission indicated the constitution-making machinery, which they suggested should be brought into being forthwith.

While the most satisfactory method would be election based on adult franchise, an attempt to take such a step would lead to unacceptable delay.

The only practicable course was to utilise the provincial Legislative Assemblies as electing bodies.

There were, however, difficulties in doing that, because the numerical strengths of the Assemblies do not bear the same proportion to the total population in each province.

After careful consideration, the Mission thought that the fairest and most practical scheme would be this :

Firstly, to allot to each province a total number of seats

proportional to its population, roughly in the ratio of one to a million as the nearest substitute for representation by adult suffrage.

Secondly, to divide this provincial allocation of seats between the main communities in each province in proportion to their population.

Thirdly, to provide that the representatives allocated to each community in a province shall be elected by members of that community in its Legislative Assembly.

While rejecting the division of India into two or more sovereign states, the members of the Cabinet Mission and the Viceroy appealed to all who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people.

"We hope," they said, "that the new Independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But there are matters for your own free choice. Whatever that choice may be, we look forward with you to your ever-increasing prosperity among the great nations of the world, and to a future even more glorious than your past."

No doubt the Cabinet Mission rejected the division of India by setting up one constitution-making body but in fact Mr. Jinnah's demand was practically conceded, for the manner in which this single body is to function means that for all practical purposes there will be three constitution-making bodies instead of one—one for Hindustan, and one each for the two so-called Pakistan zones of the north-east and north-west.

The *Tribune* clarifies the situation in its editorial :

"According to the Mission's proposals the Indian provinces are to be divided into three groups. Group A will contain the six Hindu majority provinces of Madras, C.P., Bombay, United Provinces, Bihar and Orissa. Group B will include the Punjab, Sind and North-West Frontier Province; and Group C will include Bengal and Assam. Let us take Group B. This group will have 35 members of whom 22 will be Muslims, 4 Sikhs and 9 Hindus and others. Out of 22 Muslims there will be only three members from the-

Frontier Province. Even if it be presumed that all the three Muslim members elected by the N.-W. F. P. Assembly will be Congressmen, they will be in so small a minority among the Muslim members that their voice will not count at all. If these three Muslim members join hands with the non-Muslim members they will still be unable to have an effective voice in determining their future. In other words not only the political future of non-Muslims in the Punjab, but the political future of the Frontier Province also will be mortgaged to the unchangeable communal majority in the provinces constituting Group B. Similarly, Assam, which is not a Muslim majority province, has been tied to the apron-strings of Bengal, a Muslim majority province. Is it not a novel way of giving the right of self-determination to the provinces? The Cabinet Ministers themselves have rejected the demand for Pakistan in view of the fact that there will be about forty per cent non-Muslims in the Pakistan zones and their rights cannot be ignored. But have they not conceded Pakistan in substance by suggesting the grouping of provinces on a communal basis and thus placing the non-Muslims at the mercy of Muslims?"

A perusal of the Cabinet Mission's statement leaves the impression on one's mind that while the British Government are sincere in their professions of handling over power to India, they still suffer from the obsession that the Muslim League must be appeased. That is why their plan for the political future of India is, as somebody has aptly put it, "a meandering maze without direction." It does neither grant Pakistan nor Hindustan. It recognises the urgent need of a strong Indian Union, but it reduces its powers to the minimum. It accepts the Congress suggestions of giving as complete an autonomy to the provinces as possible; but at the same time it concedes Pakistan through the back-door—by creating communal groupings of the Indian provinces. Their efforts to bring about a Congress-League *rapprochement* failed. But though realising that Pakistan is an impracticable proposition, they were anxious to take the Muslim League with them; and in that anxiety they made excessive concessions to communalism. These concessions have greatly detracted from the value of their proposals.

As soon as the proposals were heard, Master Tara Singh

recorded entire dissatisfaction of the Sikhs with the proposals. "The Cabinet Mission," he said, "seems to have met the view-point of the Hindus and the Muslims. But the Sikh position has been finally liquidated."

"I was thoroughly stunned," he added, "to read the proposals of the Mission regarding the constitution-making body for the Punjab. Our own future has been made over to the Muslims. Out of total 35 seats in Section B in the constitution for the Punjab area 22 are Muslims, 9 Hindus while only 4 seats have been given to the Sikhs."

"This means that we have been thrown at the mercy of the Muslims. I abhor to imagine the future of the Panth under the proposals of the Cabinet Mission. I do not know what to do. But I have faith in the capacity of the Khalsa and I am sure the Khalsa will prove to be one. It has the right to exist."

Later, at a Sikh Panthic Conference at Amritsar, the Sikhs through a resolution rejected the proposals (*see* Appendix A-III) and appointed a council of action to give a tough fight to the British Government in case the proposals of the British Cabinet Mission were not modified according to their wishes.

Mr. Gopinath Bardoloi, Premier of Assam, launched a bitter attack against grouping Assam into one pocket with Bengal.

He denounced the grouping before the Working Committee of the Congress and, afterwards, told newspapermen: "There is no power on earth by which the position given us in the 1935 Act can be taken away from us."

Some objections were heard also from the North-West Frontier Province against being grouped in the north-west Pakistan territory. Dr. Khan Sahib, Premier of the Province, declared, however, that he was "not worried about it."

"We will vote ourselves out if we don't like it," he said, recalling the provision in the Cabinet Mission's plan under which a province could 'opt out' of a particular group, after finding that the constitution built around it was not to its liking. Dr. Khan Sahib said it was a question 'to be decided by our people,' when the time comes.

Whatever the Congress criticism might be, it was clear that the Congress believed that His Majesty's Government

was anxious to transfer power to India. But did the Congress not know that it was not the sincerity of the British Labour Government but it were the Congress sacrifices of the last sixty years and the present world situation which compelled the British Lords to recognise India's right to independence and stop her exploitation of the last two hundred years. It is no doubt surprising that the Congress leaders, who had for so long been dealing with the most clever British politicians, now began to feel as if they were sincere at heart. It would have been better if the Congress called it diplomacy and not sincerity. If one were to turn the pages of history one would find that.

It was a socialist leader, Mr. Ramsay MacDonald, in office, who imposed on India an Award based on communalism and widened the cleavages and fissures in Indian political life. And it is now a socialist cabinet which seeks to make the communal rifts and ruptures complete and split up this glorious country into miserable warring units. In God's vast world is there any other piece of land where in the present century political divisions have been made to coincide with religious divisions? Have Catholics and Protestants separate representation in the British Parliament? Are the Muslims in China treated as a body apart from the Chinese nation—a disparate unit? Are the Christians in Egypt taken as a separate nation? And can in any political classification the Turks and the Iranians be bracketed together as one nation simply because they are wedded to Islam and inhabit almost contiguous areas? Only in India, thanks to British Machiavellism, this political topsyturvature of religious groups being defined as national units is visible. The use of the terms Caste Hindus, Scheduled Castes, Muslims, Sikhs, Christians, Parsees, etc., with reference to the determination of the composition of Governments is not valid at all. These terms, indeed, stink in the nostrils of Indian nationalists. But they have been used for such a long time and with such persistence in political context that they have become current coins. And as these current coins bear the King's stamp, it is not easy to eliminate them.

Let us now look into the clarification made by Sir Stafford Cripps himself regarding the grouping problem. He says :

"The question I am sure will occur to all of you and that is why we have named the three sections of provinces into which the assembly will break up to formulate the provincial and group constitutions.

"There was a very good reason for this. First of all, of course, somehow or other those groups had to be formed before they could proceed to their business. There were two ways of dealing with that matter. Either let the present provincial governments opt themselves into groups or—after seeing the constitutions produced—let the new governments after the whole constitution-making is complete opt themselves out, if they wish. We have chosen the second alternative for two reasons.

"First, because it follows the suggestion Congress put forward as regards the provinces and a single federation. They suggested that all the provinces should come in at the beginning but could opt out if they did not like the constitution when they had seen it. We think that this principle should apply to the groups.

"Second, the present legislatures are not truly representative of the whole population because of the effect of the communal award with its weightages.

"We have tried to get a scheme as near as possible to the full adult suffrage which would be fairest but which would take probably two years to work out—and no one believes that we could wait that length of time before starting on constitution-making. So we discard the present legislatures as decisive for the option and say let it be exercised when the first new elections have taken place when no doubt there will be a much fuller franchise and when, if necessary, the precise issue can be raised at the election. So the three sections will formulate the provincial and group constitutions and when that is done they work together with the States' representatives to make the Union constitution. That is the final phase."

Still further clarification of the question of the right of provinces vis-a-vis the proposed Union was made by Lord Pethick-Lawrence in a press conference held on May 17 :

He was asked : "Just as the provinces have the right to drop out of the groups, will they have the right to secede from the Indian Union, say, within two years ?"

Lord Pethick-Lawrence replied : " They will not have the right to drop out in a period of two years. What they will have the right to do is to ask for a revision of the constitution at the end of ten years."

Question : " Supposing Assam, which has a Congress ministry, decided not to come into group with Bengal, which has a Muslim League ministry, would Assam be allowed to join any other group ? "

Answer : " The right to drop out comes later, for this reason, that the whole picture should be understood before the option is exercised.

Question : " Can a province, if it drops out of one section, go into another section ? "

Lord Pethick-Lawrence replied that if the right was given to a province to go into another section and that other section did not want to receive it, a rather awkward situation would arise. An answer to the question was not laid down in the statement, but it would be open to the constituent assembly to deal with it at the appropriate time.

Question : " If any province does not wish to join the group in which it has been put, can it stay out ? "

Answer : " The provinces automatically come into the sections 'A', 'B' and 'C', which are set out in the statement. Initially they are in the particular sections to which they are allocated in the statement and that particular section will decide whether a group shall be formed and what should be the constitution. The right to drop out of the group formed by that section arises, after the constitution has been framed and the first election to the legislature has taken place after that constitution. It does not arise before that."

Question : " There is a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of ten years. Is there included in the words " call for a reconsideration of the terms of the constitution " any right to have secession considered ? "

Answer : " If you revise the constitution, quite clearly the whole basis of the constitution can be considered again. Any province can ask for a revision of the constitution and so far as I can see, when that revision is undertaken, all questions in the constitution are open to re-discussion."

Question : " If the provinces in section ' B ' , which formed a Muslim majority area, decided to form a group but would not come into the Union what would be the position ? "

Answer : " It would be a breach of the condition under which all these people met together for the purpose of making the constitution and, therefore, the constitution-making machinery would break down, if it was persisted in. That is contrary to the understanding on which these people came together. If they are coming together on an understanding, presumably honourably accepting the major premise, and if they were to refuse that later on, it will be a breach of the understanding and we do not contemplate such a thing."

Question : " Could the provinces in section ' B ' at the end of ten years decide to be a separate sovereign state ? "

Answer : " If the constitution is being revised, of course, all proposals for its revision will be open for discussion. Whether they would be carried through is quite another question."

Question : " Supposing a group decides not to come into the Union constituent assembly, what could be the position as far as that group is concerned."

Answer : " This is a purely hypothetical question. You cannot judge exactly what would be done in the event of people not co-operating, but there is every intention to proceed with the constitution-making machinery, as it is set out in the statement. What will happen if one person or any person or groups of people in some way tried to put spanners in the wheels, I am not prepared at this stage precisely to say, but the intention is to get on with the job."

Question : " Can the Provincial Assemblies elect people from outside their membership ? "

Answer : " Yes, that is not excluded under the terms of the statement."

On May 19 Mahatma Gandhi had a two-hour meeting with the Secretary of State and Sir Stafford Cripps. Gandhiji's longest talk with the Secretary of State was intended for the elucidation of the knotty points. Neither the declaration of immediate independence nor the withdrawal of British troops, nor sovereign status for constituent assembly nor the voluntary and optional grouping by provinces had

been conceded.

These points were stressed in the Congress letters to the British Mission. On the contrary mere Indianisation of the Executive Council and independence, contingent on the evolution of the constitution based on basic British plan and treaties regarding defence, foreign affairs and finance including sterling balance, had been conceded and the provinces made to join groups much against their declared wishes to get out, if necessary, after new elections were held and with majority vote in the legislature.

The question of questions with the Congress was whether it was intended to allow option to the provinces to form groups or not. Gandhiji and Congress leaders held it was optional and voluntary while the British Ministers said at a press conference it was compulsory.

Sir Ardeshir Dalal, a former member of the Viceroy's Executive Council, who by common consent is a man of extraordinary ability, experience and wisdom, pointed out a number of flaws in the Mission's proposals. "The statement of the Ministers," he says, "requires clarification in some respects and is open to criticism in others. Only defence, foreign affairs and communications are central subjects for the Union. I presume communications would include civil aviation, shipping and national highways. The Union is to have powers to raise the finances necessary for the above subjects. Does it mean that they can levy any tax they like? Customs and currency are obviously central subjects and should have been definitely included. I would personally have included economic development which would suffer grievously by a splitting up of the country into three groups. Apparently the inclusion of such subjects hereafter would require the votes of the two major communities under paragraph 19, clause (vii). The centre should be assigned definite and expanding sources of revenue by the constituent assembly.

"The thorny question of the representation of the various communities in the Central Executive and Legislature is obviously left to the constituent assembly.

"The position of the States is left extremely indefinite. On the withdrawal of paramountcy, they will be virtually independent. Although it is assumed that they would also

relegate defence, foreign affairs and communications to the Union, the whole thing is left subject to negotiations which are bound to be very protracted and difficult and likely to delay the whole constitutional settlement.

"The drawbacks of a compromise settlement are most apparent in the proposals regarding the three sections of the provinces. While dividing the country into three more or less watertight compartments from the point of view of economic development and progress, they are likely to prove unacceptable to the very minorities in whose interests they are devised. It is not clear why only three communities, namely, General, Muslim and Sikh, are recognised and why Sikhs are singled out to the inclusion of more important minorities like the Scheduled Castes and Indian Christians. While it will be open to any province to elect to come out of any particular group after the first general election, it will be extremely difficult for any province in any one group to elect to go on into any other group for purposes of economic development or any other object, if it so wished."

The Congress gave a thorough consideration to all aspects of the plan and after a number of sittings of the Working Committee criticised, in a 1000-word resolution, what they considered as objectionable features of the British Cabinet Mission's proposals and declared that in the absence of a full picture of the proposed provisional Government, the Committee were unable to give a final opinion at that stage on the proposals. (See Appendix A-I.)

The Committee says: "In considering the statement, the Working Committee have kept in view the picture of the future, in so far as this was available to them from the proposals made for the formation of a provisional Government and the clarification given by members of the Delegation. This picture is still incomplete and vague. It is only on the basis of the full picture that they can judge and come to a decision as to how far this is in conformity with the objectives they aim at. These objectives are: Independence for India, a strong, though limited, central authority, full autonomy for the provinces, the establishment of a democratic structure in the centre and in the units, the guarantee of the fundamental rights of each individual so that he may have full and equal opportunities of growth, and further that

each community should have opportunity to live the life of its choice within the larger framework.

"The Committee regret to find a divergence between the objectives and the various proposals that have been made on behalf of the British Government, and, in particular, there is no vital change envisaged during the interim period when the provisional Government will function, in spite of the assurance given in paragraph 23 of the statement. If the independence of India is aimed at, then the functioning of the provisional Government must approximate closely in fact, even though not in law, to that independence and all obstructions and hindrances to it should be removed. The continued presence of a foreign army of occupation is a negation of independence.

"A provisional national Government must have a new basis and must be a precursor of the full independence that will emerge from the constituent assembly. It must function in recognition of that fact, though changes in law need not be made at this stage. The Governor-General may continue as the head of that Government during the interim period, but the Government should function as a cabinet responsible to the Central Legislature.

"The status, power and composition of the provisional Government should be fully defined in order to enable the Committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority."

In the course of a statement issued in response to the Congress resolution the Delegation said that the scheme stood as a whole and could only succeed if it was accepted and worked in a spirit of co-operation. It was agreed, the Delegation continued, that the interim Government would have a new basis. That basis was that all portfolios, including that of the War Member, would be held by Indians and that the members would be selected in consultation with the Indian political parties. The Delegation added: "These are very significant changes in the Government of India, and a long step towards independence. His Majesty's Government will recognise the effect of these changes, will attach the fullest weight to them, and will give to the Indian

Government the greatest possible freedom in the exercise of the day-to-day administration of India.

"As the Congress statement recognises, the present constitution must continue during the interim period, and the interim Government cannot, therefore, be made legally responsible to the Central Legislature. There is, however, nothing to prevent the members of the Government, individually or by common consent, from resigning, if they fail to pass an important measure through the legislature, or if a vote of no-confidence is passed against them."

"There is, of course, no intention," the Delegation concluded, "of retaining British troops in India against the wish of an independent India under the new constitution, but, during the interim period, which, it is hoped, will be short, the British Parliament has, under the present constitution, the ultimate responsibility for the security of India and it is necessary, therefore, that British troops should remain."

"The new plan is a long step towards independence" is one of the main points that constitute the statement ; while others are :

The scheme stands as a whole.

The present constitution must continue during the interim period.

The interim Government cannot be made legally responsible to the Central Legislature.

There is no intention of retaining British troops in India against the wish of an independent India.

There is no intention of interfering with the discretion of the constituent assembly.

The provinces cannot choose to opt out of groups in the first instance ; the people can decide the issue after the constitution is completed.

The question of States should be discussed with the States.

VII

THE CONGRESS STAND

"The British are saying they want to go from India. We may feel that the imperialists are not sincere but yet we should believe them and give them a chance to quit peacefully." These are the words which were uttered by Sardar Patel when even Premier Attlee's new offer of independence to India was in the womb of time. Then came Attlee's declaration. Was it a harbinger of freedom? Some were convinced of the genuineness of the British Premier's words; while others doubted the sincerity of the Britishers who had already deceived the Indians by many an unfulfilled promise. (See Appendix G.) How could Indians fail to suspect the British Government when it kept thousands of Indian political prisoners in gaol.

New Leader, the official newspaper of the Independent Labour Party, stated: "While the Cabinet Mission is anxious to reach a satisfactory settlement in India, it fears an outburst of violent opposition in India and it fears Russia and it is determined to keep one hand on the pistol in its pocket just in case Indians cannot easily trust British intentions."

If really Premier Attlee had to transfer power to India, if honestly he had been anxious to free India from the shackles of British imperialism, how epoch-making an event it would have been in the history of the British rule in India. No doubt we wonder if ever a mere declaration could change the title of the British King who is at present designated the Emperor of India, while all coins of the realm bear abbreviated Latin words "*Ind Imp*" (*India Imperator* or Emperor of India).

The announcement in the Parliament was made on March 15. Maulana Azad in his speech the very next day said:

"If we succeed in our talks with the Cabinet Mission, a new chapter in India's history begins. If we fail in our negotiations, the Congress will give the call for a final strug-

gle for our independence."

It seems that Maulana Azad was not very sure that power would be transferred to India. He had for so long been dealing with the British bureaucracy; he knew the British representatives would not ignore the League demand howsoever unreasonable, unpatriotic and undesirable it might be.

In case of the complete break-down of the negotiations, what was the next step the country would take?—the Maulana suggests in his above statement.

In the same spirit spoke Pandit Nehru: "If the people of India are suddenly confronted by the prospect of no independence coming by agreement, there will inevitably be an enormous upheaval in India." "It is not a question of our desiring it, but the conditions are such," he added.

"If steps are not now taken," said Mr. Fenner Brockway, the former Political Secretary of the Independent Labour Party, "to give India its independence, there is not the least doubt that from one end of India to the other there would be active resistance which would require a British army of occupation in India much larger than the present one and which in international affairs would be the breeding ground for propaganda which Russia could extend."

The Left Wing of the Congress was never satisfied with the negotiations and the British plan. They doubted the British intentions and are still dissatisfied with the proposals though the Congress has accepted the long-term plan. Jaiprakash Narain warned the Congress and the people on May 30 by saying:

"On the one hand the Mission is carrying on negotiations to concede independence to Indians while on the other it is making gigantic preparations for colossal repression and suppression of popular movements."

Mr. Fenner Brockway was perhaps the first man to break news that the British authorities in India were taking steps to suppress the Indian National Congress and other nationalist movements, should the negotiations break down.

"I received the information," he said, "from one who has a record service to mine in the Congress struggle in India."

Then there were so many news received through different sources which confirmed Mr. Brockway's statement.

The *Star of India* said on May 6 that a very reliable source disclosed to a reporter of the paper that to maintain law and order in Calcutta during an emergency that might arise in the event of a break-down of the Indo-British negotiations, as many as ten thousand Gurkha soldiers had been brought to the city.

The paper added that Gurkha soldiers were seen marching in some parts of south Calcutta and Chowringhee area and that seemed to further the belief of the people that the city was preparing to meet an emergency.

An A.P.I. message revealed on May 8: "It is reliably understood that the Delhi province police will very soon be equipped with modern weapons, including machine-guns and armoured cars. Training in these weapons is expected to begin shortly at Kingsway, which is reported to have been selected as the most suitable site for the purpose.

"It is also learnt that the army authorities have agreed to provide instructors for training purposes.

"The police force will shortly be strengthened by recruiting selected ex-servicemen. Increase of pay to police constables is already reported to have been announced.

"These measures are being taken, it is stated, for modernising the police force and to cope with any possible political upheavals in the country."

The next day, May 9, a representative of the *Tribune* reported from Karachi: "Authoritative details are available regarding the District Magistrates' Conference held last week. The official copy of the agenda secured discloses that it was considered what measures should be necessary to be taken against the revival of the 1942 movement, in case there is a political deadlock and disagreement between two major political parties, on account of the failure of the political talks at Simla and Delhi. It was generally agreed that in Sind, the revival of the movement would be confined to towns only, so that it would be easy for the Government to control the movement. The District Magistrates are, however, advised to take precautionary measures to meet any situation that may arise as a result of the break-down of the Simla negotiations."

Warning the people against possible collaboration between Indian and British capitalists, Jaiprakash Narain said that

while purporting to leave by the front gate, the British in their proposals of May 16 had provided for numerous back-doors for staging a surreptitious come-back. In this connection, he particularly referred to the provincial groupings and the Indian States. He said that Pakistan could not be maintained, except with the help of the British bayonet.

Referring to the Kashmir incident, he added that he had every suspicion that the ruler had the support of the British rulers. The State Government's behaviour with Pandit Nehru could not be otherwise explained.

Jaiprakash Narain also issued a statement, in collaboration with Mrs. Aruna Asaf Ali, Achyut Patwardhan and Dr. Ram Manohar Lohia, in which he made a call to the Congress to reject the British Cabinet Mission's proposals. (See Appendix B-III.) The statement exhaustively dealt with what the authors of the statement considered as essentials for the immediate freedom of India and said that those fundamental measures which were absent in the Cabinet Mission's proposals, the compulsory grouping of provinces and restricting the scope, powers and functions of the Central Government, would perpetuate vested British interests through back door methods.

"Coming events cast their shadows before," said Jaiprakash Narain in the course of a speech at Dehra Dun. "The present happenings in the native States for which the Political Department of the Government of India is responsible are a sure pointer as to what is to come in case the Cabinet Mission fails. It is time that we should take a hint and be alert lest we should be found napping and unprepared just as in 1942."

He gave a detailed plan of the final struggle for national freedom if it was to be at all launched and said, "This movement will sweep away all the dirt and muddle created by the British Indian politics. This time the Ministers will not resign, they will rather order for arrests of the Governors if they ever attempted to obstruct establishment of our national independence. The upsurge and hunger for national freedom is so extensive and deep that all elements of the Indian social life will participate in the final struggle."

Referring to the Congress Socialist Party ideology and Mahatma Gandhi's non-violence he said, "When the Congress could fight Japan and Germans with weapons of warfare for a shadow of national Government, why could it not fight

the British in the same way for complete independence."

He criticised Mr. Jinnah's obstructive role knowing fully well that freedom of India meant freedom of not one community or sect. He accused Mr. Jinnah of complicity with the British reactionary political party. He was sceptical as to the *bona fides* of the British Government and did not approve of the way in which the Congress leaders conducted negotiations.

A resolution of the Working Committee of the Forward Bloc says: "The country is today more powerful than ever and international situation demands that we should not agree to anything which is not based entirely on the Quit-India demand of the Congress according to which all power must vest in the workers in fields and factories."

"The Congress and the nation," the resolution added, "must be saved from the death clutches of constitutionalism and reformism leading to the abandonment of the revolution struggling against imperialism. The plea put forward for the acceptance or partial acceptance of the proposals in the present conditions of supposed national weakness betrays a defeatist mentality. In fact the country is more powerful today than ever before."

The resolution demanded:

- (1) The immediate declaration of Indian independence.
- (2) Complete sovereignty of the constituent assembly.
- (3) Immediate withdrawal of all British troops.
- (4) Establishment of provisional national Government to whom all power must be immediately transferred.
- (5) Election of the constituent assembly on the basis of universal adult franchise and joint electorate.
- (6) No grouping of provinces and no communal representation whatsoever.

"It should be the duty and privilege of the constituent assembly itself to satisfy the minorities and safeguard their interests, political, economic, cultural, linguistic and others. There should be no imposition as in the case at present from imperial representatives. It is none of the business of our foreign rulers to interfere in the internal affairs of a country going to be free, as such interference helps to keep the country divided in the interests of imperialism."

"As long as these demands and conditions are not fulfilled,"

the resolution concluded, "it is the task of the Congress and all revolutionaries of the land to reject the proposals and prepare the country for final battle to wrest power from unwilling hands."

It is no doubt interesting that whereas the Leftists condemned the plan, Gandhiji called it the best document British could produce. He assured India that the British Cabinet plan for bringing India to independence was "the best document the British Government could have produced in the circumstances" and advised the people to accept its terms without perturbation.

"My compliment, however," said Gandhiji, "does not mean that what is best from the British standpoint is also best or even good from the Indian. Their best may possibly be harmful. My meaning will, I hope, be clear from what follows. The authors of the document have endeavoured to say fully what they mean. They have gathered from their talks the minimum they thought would bring parties together for framing India's charter of freedom. Their one purpose is to end British rule as early as possible."

Referring to the liberty of individual units the Mahatma said: "Are the Sikhs, for whom the Punjab is the only home in India, to consider themselves against their will as part of the section which takes in Sind, Baluchistan and the Frontier Province? Or is the Frontier Province also against its will to belong to the Punjab called "B" in the statement or Assam to "C" although it is a predominantly non-Muslim province? In my opinion the voluntary character of the statement demands that the liberty of individual unit should be unimpaired. Any member of the sections is free to join it. The freedom to opt out is an additional safeguard. It can never be a substitute for the freedom retained in paragraph 5 which reads:

"Provinces should be free to form groups with executives and legislatures and each group could determine the provincial subjects to be taken in common."

"It is clear that this freedom was not taken away by the authors by section 19 which proposes (does not order) what should be done. It presupposes that the chairman of the constituent assembly at its first meeting will ask the delegates of the provinces whether they would accept the group principle and if they do whether they will accept the assign-

ment given to their provinces. This freedom is inherent in every province and that given by paragraph 5 will remain intact.

"There appears to me no other way of avoiding the apparent conflict between the two paragraphs as also the change of compulsion which would immediately alter the noble character of the document.

"I would, therefore, ask all those who are perturbed by the group proposals and the arbitrary assignment that if my interpretation is valid there is not the slightest cause for perturbation."

But is Gandhiji's interpretation the same as the official interpretation? No. The British Ministers clearly announced that their interpretation was different from the popular one. According to them the provinces will not have the right to drop out of the groups. What they will have the right to do is to ask for a revision of the constitution at the end of ten years.

"During the long course of the history of British rule in India," Gandhiji says, "the official interpretation has held sway, and it has been enforcer. I have not hesitated before now to say that the office of the law-giver, judge and executioner is combined in one person in India. Is not the State document a departure from the imperialistic tradition? I have answered 'yes'.

But still he adds that if the official interpretation prevails, it will be a bad omen.

Be that as it may, let us glance over the shortcomings Gandhiji points out:

"The Delegation, after a brief spell in Simla, returned to Delhi on the 14th May and issued their statement. One would have thought that they would have formed the Central Government before issuing the statement. But they issued the statement first and then set about the search for the formation of the interim Government. It is taking a long time coming, whilst the millions are starving for want of food and clothing. This is defect No. 1.

"Question of paramountcy is unsolved. It is not enough to say that paramountcy will end with the end of British rule in India. If it persists without check during the interim period, it will leave behind a difficult legacy for the Government. If it cannot be ended with the establishment of the

interim Government, it should be exercised in co-operation with it and purely for the benefit of the people of the States. It is the people who want and are fighting for independence, not the Princes who are sustained by alien power even when they claim not to be its creation for the suppression of the liberties of the people. The Princes, if they are true to their professions, should welcome this popular use of paramountcy so as to accommodate themselves to the sovereignty of the people envisaged under the new scheme. This is defect No. 2.

"Troops, it is declared, are to remain during the interim period for the preservation of internal peace and protection against internal aggression. If they are kept for such use during the period of grace their presence will act as a damper on the constituent assembly and is more likely than not to be wanted even at the establishment of independence so called. A nation that desires alien troops for its safety, internal or external, or has them imposed upon it, can never be described as independent in any sense of the term.

"It is in effect nation unit for self-government. The acid test is that it should be able to stand alone, erect and unbending. During the interim period we must learn to hop unaided; if we are to walk when we are free. We must cease from now to be so spoonfed."

Speaking on the question of paramountcy in a press conference at New Delhi, Pandit Nehru, President of the All-India States Peoples' Conference, expressed the Congress viewpoint that in the Indian Federation the States' units would have the same status as any other unit. The question of paramountcy might arise during the interim period, which he hoped would not be long, say a year. British power should quit completely from all parts of India, including the States. Some kind of machinery as a connecting link with the States could be easily devised for the interim period. It would be desirable to have the people and the rulers represented on that machinery.

Asked what they should do if any State refused to enter the Indian Union, Pandit Nehru said, "To begin with I would ignore their refusal. Obviously it is very difficult to conceive of any State in the heart of India saying, 'we are independent and do not want to have anything to do with the rest of India.' But I should not like to force it to enter the Union ;

I should like circumstances to force it."

"The idea of a Federal Union," added Pandit Nehru, "had the support of the Indian National Congress, the States Peoples' Conference and the Ruling Princes.

"All these questions would be considered by the constituent assembly. That assembly could only consider them properly if the people of the States were represented directly and not by the nominees of the rulers."

"It is obvious," continued Pandit Nehru, "that the States' problem like other problems have to be viewed in an entirely different context on the basis of independent India. It is this independence that comes first and colours everything else. Nevertheless, it is true that one cannot isolate one problem from another and each one of them is interlinked. The independence we seek is not confined to a particular part or group and inevitably it is based on a democratic machinery of the State.

"That democratic machinery must exist not only at the top, but also in the constituent units including such States as are big enough to function as constituent units. The smaller States will also necessarily have to be democratised, though they will have to be absorbed in large units.

"It is clear that any constituent assembly, which frames the constitution of India cannot ignore the States. It is equally clear that only a democratic representation of States can fit in with the character of such an assembly. It should be remembered, however, that representation in such an assembly is a privilege which can be exercised only by those who accept its fundamentals and are prepared for a democratic form of government."

"As regards the rulers," Pandit Nehru went on, "we want to avoid conflict where we can do so. The rulers of the big States can continue to be constitutional heads of the States but the question will ultimately have to be decided by their own people. The rulers of the small States which are absorbed cannot function at all. We are prepared to pension them off."

Pandit Nehru concluded that he made this suggestion not because there was any equity involved in the matter but because they wanted to get on without conflict in petty matters.

It is, however, clear that the Congress was not keen to deal with the States in a manner which might be called strict or stiff attitude. It was rather prepared to solve the question as smoothly as possible. But obviously it could not be tolerated to have democracy in one part and autocracy in the other, and if this question remained unsolved for the interim period, it would have left behind a difficult legacy for the Government. Gandhiji's demand, therefore, to solve paramountcy question was genuine and unavoidable.

Then there was the question of the withdrawal of troops. This demand was also stressed upon by Mr. B. Edwards, Chairman of the Independent Labour Party, in his six-point memorandum drawn up for the constitutional settlement in India. The signed memorandum was published in the Party's organ *New Leader* under big front-page headline "Britain has not offered freedom to India".

"If the British Government really means business," Mr. Edwards wrote "it should (1) make an immediate declaration for Indian independence; (2) commence now the effective withdrawal of the British army of occupation; (3) recall the Viceroy within the next six months; (4) hand over to the Indian Congress Party full power to elect the transitional Government and organise free elections; (5) wipe out the legal status of the semi-feudal Indian States; and (6) uproot the British vested interests by the immediate transfer of British holdings to the India State as part payment of this country's debt to India of £ 1,000 million.

Mr. Edwards further added: "By so doing Britain's Labour Government will be showing to India and the world the determination of the British people to wipe out misrule by complete and sincere association with India's aspirations for independence and freedom."

Among the defects of the Government White Paper, Mr. Edwards cluded: "The Viceroy's undemocratic and over-riding powers, the indefinite retention in India of the British armed forces and vested interests in finance and industry and the continuation of the semi-feudal States of the Princes in a privileged position which is incompatible with democratic principles."

But the Delegation dismissed the question, as stated in the previous chapter, in a few words saying that during the

interim period the British Parliament had the ultimate responsibility for the security of India and it was necessary, therefore, that British troops should remain.

The parity question was perhaps the most important of all. If Congress leaders were not prepared to swallow parity formula at the first Simla Conference how could they swallow it now? The revulsion of nationalist public feeling against it was so strong that its author Mr. Bhulabhai Desai was completely discredited and disowned. It, indeed, marked the culmination of the appeasement policy carried on vigorously by Mr. Rajagopalachari and nationalist public opinion punished the bungling appeasement-wala by relegating him to the limbo of oblivion. The Congress rightly refused to entertain the communal parity idea when it was put officially in the forefront at Simla for the first time and equally rightly had it declined to entertain it now.

Mr. Jinnah was too obstinate to budge an inch from the parity formula but as Pandit Nehru observes, even if it is conceded that the Muslims constitute a separate nation and that there are two, three, four and more nations in India, the problem is how these different "nations" are to get along together. To repeat in season and out of season that the Muslims are a separate nation in this country does not solve the problem and the modern tendency is for the idea of a nation not to be confused with the idea of a State. Look, for instance, at the Soviet Union whose solution of the problem of nationalities is sometimes cited as a model. The Soviet Union is not a national State, it is a multi-national Union. Even assuming that Mr. Jinnah is correct, which, of course, he is not, it does not follow necessarily that a separate Muslim nation must have a separate national State. This confusion may give rise to all manner of complexities which the Muslim League's leadership completely ignores.

The Muslim League leadership is addicted to the habit of calling the Congress a purely Hindu body. It has rather gone so far as to say that Muslim rights are not safe in the hands of the Congress. And this is the basis of their parity formula and the no-faith-in-the-Congress declaration. While clearing the position my friend S. Darbara Singh, a professor of the Khalsa College, Amritsar, surveys the activities of the Indian National Congress in the following paragraphs :

" The Congress took its birth in the year 1885. It has been espousing the cause of the whole country, Hindus, Muslims and all, of individuals and groups whose rights were trampled upon and who were repressed. It took up the popular cause in the days of Bengal partition agitations, Bengal Famine, Punjab Wrong and Frontier Repressions. It took up the cause of Mohammedans in the Khilafat days and Sikhs in Gurdwara movement. It took up the cause of Bhagat Singh, Sardul Singh Caveeshar, Jaiprakash Narain, a host of security prisoners and detenus, Ashti and Chimur prisoners, conspiracy case prisoners and I.N.A. heroes of all religions. It has done singular service to the people of the country for the last sixty years and the fact that the country is so near her destination is solely due to its strenuous efforts. During its life of sixty years, to guide it there have been Hindus, Mohammedans, Parsees and Christians. On its executives there have been men of all creeds, Hindus, Mohammedans, Parsees and Sikhs and women even. On its rolls of membership there have been men and women of all provinces and States and all creeds. To enjoy the fruit of its efforts men and women of all places have come forward. And when freedom comes all people of the country will enjoy it equally.

" To support further that the Congress has represented the entire nation one has to recall the resolution of fundamental rights, giving equal citizenship rights to all, the election manifesto of 1945, seeking early liberation of the country from foreign yoke, etc. The Congress has striven during its tenure of office and even otherwise, in the Legislatures, to get laws passed for the benefit of the poor and labouring classes and the under-dogs and the oppressed.

" It is true that recently a large number of Muslims, on account of the strenuous efforts of the Muslim League and the pacifying and conciliatory policy of the Congress, and good many Sikhs, on account of the efforts of the Akali party, have withdrawn from the Congress yet this is for no fault of the Congress or the Hindus. The Congress is as sincere and nationalistic in outlook as before. The uneducated have been appealed to in the name of religion and the educated have been made to count chicken before they are hatched. The cry of 'Islam in danger' has been very

powerful. But the international forces are compelling the country to ignore the appeal of religion and the day is not far off when religion will have nothing to do with politics. The efforts of the communal leaders will come to nought and India will march ahead from strength to strength."

Speaking as to how the Congress proposed to allay the Muslim fears the Maulana said :

"The position to which I have now brought the Congress ought to meet all legitimate Muslim fears. I believe that the Congress formula is free from the defects inherent in the League demand for Pakistan. Under the Congress formula, Muslims will not be the aliens in the Muslim minority provinces which they will be under the Pakistan scheme. Under the Congress formula, again, the Muslim-fear of Hindu domination is removed by the fact that the centre will have a minimum list of subjects under its control.

Regarding the two-nation theory and Pakistan, he declared that the Muslims in the Hindustan state would awaken overnight and discover that they had become aliens and foreigners backward industrially, educationally and economically. They would be left to the mercies of what it would become an unadulterated Hindu Raj. On the other hand the position of Muslims in Pakistan would be vulnerable and weak for nowhere in Pakistan would their majority be comparable to the Hindu majority in Hindustan state.

"In fact their majority will be so slight," he added, "that it will be offset by the economical, educational and political lead enjoyed by non-Muslims in these areas. Even if this were not so and Pakistan were overwhelmingly Muslim in population it still could hardly solve the problem of Muslims in Hindustan. Two states confronting one another offer no solution of the problem of one another's minorities but only lead to retribution and reprisals by introducing a system of mutual hostages. The scheme of Pakistan, therefore, solves no problem for the Muslims. It cannot safeguard their rights where they are in a minority nor as citizens of Pakistan secure them a position in Indian or world affairs which they would enjoy as citizens of a major state like the Indian Union."

The Congress stood for a united India while the Muslim

League's ultimate object was the divided India. The net result of the parleys, therefore, had been that the parties had not been able to agree on the final problems of the composition of the new Government.

In the formation of a provisional or other Government the Congress could never give up its national character, or accept an artificial unjust parity, or agree to the veto of a communal group. The purpose of making the transition of power from British to Indian hands as smooth as possible would be frustrated if the interim national Government is composed on the basis 50-50 either as between the Congress and the Muslim League or as between Hindus and Muslims. For the representatives of the League, who will get inflated importance under the parity formula, will be in a position to create a deadlock whenever the national Government thinks of taking momentous decisions. Moreover such a Government will lack harmony and coherence that are essential for the smooth running of the administrative machinery. If all elements in India's political life are reflected according to their importance and numerical strength, in the personnel of the interim Government, no single party will be able to occupy a dominant position and hold up India's future progress; and the harmonious working of the Government will be ensured. The parity formula is wrong in its conception and design. Its implications are harmful and dangerous.

The Congress, therefore, was prone not to accept the proposals unless those were modified according to their wishes. They were determined to fight the parity tooth and nail. Hence the negotiations ended in smoke. Mahatma Gandhi lost all hope of a modification by the Government in the light of the objections raised by the Congress. In the prayer meeting on 14th June he said :

"The child (the Cabinet plan) is dying. All last-minute medicines are, of course, being administered. What is the position of the mother then? Do you expect her to throttle its throat?"

But only two days later the Delegation issued the following statement inviting fourteen persons to form the interim Government :

"His Excellency the Viceroy, in consultation with the

members of the Cabinet Mission, has, for some time, been exploring the possibilities of forming a coalition Government drawn from the two major parties and certain of the minorities. The discussions have revealed the difficulties, which exist for the two major parties in arriving at an agreed basis for the formation of such a Government.

"The Viceroy and the Cabinet Mission appreciate these difficulties and the efforts which the two parties have made to meet them. They consider, however, that no useful purpose can be served by further prolonging these discussions. It is indeed urgently necessary that a strong and representative interim Government should be set up to conduct the very heavy and important business that has to be carried through.

"The Viceroy has, therefore, issued invitations to the fourteen persons mentioned below to serve as members of the interim Government on the basis that the constitution-making will proceed in accordance with the statement of May 16.

"(1) Sardar Baldev Singh, (2) Sir N. P. Engineer, (3) Mr. Jagjivan Ram (of Bihar), (4) Pandit Jawaharlal Nehru, (5) Mr. M. A. Jinnah, (6) Nawabzada Liaquat Ali Khan, (7) Mr. Harekrishna Mehtab, (8) Dr. John Matthai, (9) Nawab Mohammed Ismail Khan, (10) Sir Nazim-ud-Din, (11) Sardar Abdur Rab Nishtar, (12) Mr. C. Rajagopalachari, (13) Babu Rajendra Prasad and (14) Sardar Vallabhbhai Patel.

"If any of those invited is unable, for personal reasons, to accept, the Viceroy will, after consultation, invite some other person in his place. The Viceroy will arrange the distribution of portfolios in consultation with the leaders of the two major parties. This composition of the interim Government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available coalition Government.

"The Viceroy and the Cabinet Mission believe that Indians of all communities desire to arrive at a speedy settlement of this matter so that the process of constitution-making can go forward and that the Government of India may be carried on as efficiently as possible in the meantime.

"They therefore hope that all parties, especially the two major parties, will accept this proposal, so as to overcome the

present obstacles and will co-operate for the successful carrying on of the interim Government. Should this proposal be accepted, the Viceroy will aim at inaugurating the new Government about June 26.

"In the event of the two major parties, or either of them, proving unwilling to join in the setting up of a coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an interim Government, which will be as representative as possible of those willing to accept the statement of May 16.

"The Viceroy is also directing the Governors of the provinces to summon the Provincial Legislative Assemblies forthwith, to proceed with the elections necessary for the setting up of the constitution-making machinery, as put forward in the statement of May 16."

The Congress had given a list of fifteen names, out of which Mr. Sarat Chandra Bose, Dr. Zakir Hussain and Rajkumari Amrit Kaur's names were omitted. Gandhiji felt the exclusion of Mr. Sarat Chandra Bose from the Congress list and the inclusion of Mr. Harekrishna Mehtab, without consulting him (Gandhiji) or Maulana Azad. It was felt that Lord Wavell had thereby indicated the way he would act—arbitrarily—and not as a constitutional head. Deep resentment had been caused by this action and Gandhiji took this to heart. He demanded a guarantee of constitutional conduct and respect for conventions. He considered Lord Wavell's act as an inauspicious start and an affront to the great national organisation that its own recommendation for the quota allotted to it had been ignored while the Muslim League nominees remained in tact; even Nishtar, who had been defeated at the polls.

Gandhiji wanted the right of nomination of the Congress, quota to the Congress and not to Lord Wavell.

Gandhiji thought that representatives of the minorities, excluding those of the Muslim League, should have been nominated on the advice of the Congress.

He also wanted that the nomination of Sir N. P. Engineer must be cancelled and that Dr. Zakir Hussain's and Rajkumari Amrit Kaur's names must be restored as, he thought, a nationalist Muslim and a woman representative must be there in a representative Government.

The arbitrary exclusion of the only nationalist Muslim nominee of the Congress from the interim Government was a move that could not be taken lightly by the forces of Indian nationalism. Its implications were almost disastrous to them. As a result of this biased viceregal action, the League was artificially raised to the position of the sole representative of the Muslim community and the Congress was unnaturally reduced to the position of a Hindu body.

It was not only from the party point of view that the Wavellian dispensation is injurious to the Congress. The conversion of the Congress into a purely Hindu body—at which it aimed—would incalculably weaken the democratic movement and hurt the country. Again, the clothing of the Muslim League with the authority to speak and act exclusively on behalf of all the nine crores of Indian Mussulmans would immeasurably strengthen Muslim fascism which, if perpetuated, might swallow up emaciated Indian Muslim democracy and press the wedge driven into our united front so hard that it might be rent asunder.

According to a *United Press* report from New Delhi issued on June 21, Mr. Zahiruddin, President, All-India Momin Conference, said :

“In case the Congress accepts Mr. Jinnah’s demand of not including any nationalist Muslim in the new interim Government, the Congress will not only lay itself open to the charge of betraying the nationalist Muslims but also dealing a severe blow at its own great past and future.”

Mr. Zahiruddin further added that Mr. Jinnah’s claim of speaking on behalf of the Muslims of India was ridiculous. Even the recent provincial elections did not prove this claim of Mr. Jinnah. According to the record maintained by the Government the nationalist Muslims secured 35 per cent of the total Muslim votes.

The Congress Working Committee ultimately rejected the Cabinet Mission’s and Viceroy’s proposal for interim Government, contained in their statement of June 16.

A letter conveying the Working Committee’s decision was despatched to the Viceroy on June 24.

More detailed criticism of the proposal was sent in a second letter, dated June 25. (See Appendix D-II.) In that 1500-word letter the Congress President comprehensively

dealt with the reasons for the Congress rejecting the interim Government proposal made by the Viceroy and the Cabinet Mission in their statement of June 16.

The letter at length referred to the assurances given by the Viceroy to Mr. Jinnah and said : " We have stated our objections to your proposals of June 16 as well as to your answers to the questions framed by Mr. Jinnah. These defects are grave and would render the working of the provisional Government difficult and deadlocks are a certainty. In the circumstances, your proposal cannot fulfil the immediate requirements of the situation or further the cause we hold dear."

As for the proposals for the long-term settlement there was every expectation of its being rejected by the Congress if the Congress demand contained in the Congress President's letter to the Viceroy sent on June 14 was not accepted. That demand was that European members of the Bengal and Assam Legislative Assemblies should not participate in the elections to the constituent assembly either by voting or by standing as candidates.

Perhaps the same day or a day after Gandhiji reiterated the same demand at a prayer meeting. The constituent assembly, he said, had to be formed by the elected members of the provincial legislatures. The 1935 Government of India Act had given a number of seats in these legislatures to Europeans. For instance, in Bengal there was a solid block of twenty-five Europeans. In Assam there were nine. Quite a number of them were multi-millionaires or their representatives. They were foreigners, members of the ruling race. They could have no place in the constituent assembly as candidates, nor could they as voters return members.

The Cabinet plan had said clearly, he added, that Indians were to form India's constitution. Lawyer friends had told him that if the matter were taken to a law court the verdict would surely go against the Europeans. But from the papers he had gathered that they did intend to exercise the right which they thought they had. Till now they had used their vote to uphold the British power and acted as a wedge between the Hindus and the Mussulmans. He appealed to them, apart from the question of legalities, to abstain from interference.

This difficult problem was very easily solved within a day

or two when on June 15 the Bengal Europeans decided not to seek representation in the proposed constituent assembly and agreed that the Indians should decide the future constitution of India. The European party in the Bengal Legislative Assembly announced that they would not nominate any one for election to the constituent assembly and would not vote for a European to sit in the constituent assembly. They would agree to use their votes in accordance with any agreement reached between the two parties.

The above decision was reiterated in the statement made as recently as July 5 by the European party in the Bengal Legislative Assembly. The statement says: "As the two major Indian political parties have come to no agreement on the exercise by the European party in the Bengal Assembly of their votes in the forthcoming elections for the constituent assembly, and as, on the contrary, the exercise of their franchise seems likely to be a continuing source of discord, the European party in the Bengal Assembly, in accordance with their previously expressed policy and sincerely hoping that their decision will contribute to the successful working of the constitution-making machinery by all Indian political parties, have decided to abstain from voting in the forthcoming elections to the constituent assembly."

The other main obstacle in the way of the acceptance of the long-term plan was the grouping system *vide* clause 15, sub-clause 3 of the Cabinet Mission's statement of May 16. But this obstacle was removed by the Congress interpretation of this clause, *viz.*, that provinces are free at the *initial* stage to decide to join or remain outside the groups. The Congress informed the Government that the Congress interpretation had been supported by eminent jurists and the Congress had, therefore, proposed to adhere to that interpretation. On June 25 the Congress President, Maulana Abul Kalam Azad, told pressmen that the Congress had rejected the Cabinet Mission's interim plan and had accepted the long-term proposals.

On June 26 the Cabinet Mission and the Viceroy in a statement regretted that it had not so far proved possible to form an interim coalition Government but they were determined that the efforts should be renewed in terms of paragraph 8 of their statement of June 16.

As the Government of India must be carried on, continued the statement, until a new interim Government could be formed, it was the intention of the Viceroy to set up a temporary caretaker Government of officials.

The composition of the caretaker Government, consisting of officials, had been announced on June 29.

The following constituted the Executive Council :

Sir Claude Auchinleck.

Sir George Spence.

Sir Eric Coates.

Sir Robert Hutchings.

Sir Eric Conran-Smith.

Sir Gurunath Bewoor.

Sir Akbar Hydari.

Mr. A. A. Waugh.

The portfolios had been distributed by His Excellency the Governor-General as follows :

Sir Claude Auchinleck—War.

Sir Gurunath Bewoor—Commerce and Commonwealth Relations.

Sir Eric Coates—Finance

Sir Eric Conran-Smith—War Transport, Railways, Post and Air.

Sir Robert Hutchings—Food and Agriculture.

Sir Akbar Hydari—Labour, Works, Mines and Powers, Information and Arts and Health.

Sir George Spence—Law and Education.

Mr. A. A. Waugh—Home Industries and Supplies.

Just the next day when the Congress accepted the long-term plan, Maulana Azad issued a statement which reviewed the three-month negotiations. Why the Congress rejected the interim Government plan and what led the Congress to accept the long-term plan—both the questions have been briefly dealt with. To avoid further discussion on the matter it would be wise to record below the complete 1000-word statement :

“ In our prolonged negotiations with the Cabinet Delegation and the Viceroy my colleagues and I have throughout been guided by one governing principle. It was the achievement of Indian independence and the solution of all outstanding problems by methods of peaceful negotiations.

Such methods have both their advantages and their limitations. Independence achieved through violence and conflict may be more spectacular but it entails endless suffering and bloodshed and leaves behind a heritage of bitterness and hatred. Peaceful methods leave no bitter trail but neither are the results so spectacular as in a violent revolution. The present negotiations have, therefore, to be judged from this standard. Keeping in mind the method chosen and the peculiar nature of our problems, dispassionate observers will be forced to admit that though all our hopes have not been fulfilled, the results mark a decisive step forward towards the attainment of our goal. After a searching discussion and analysis, this is the conclusion reached by the Congress Working Committee, and they have accordingly accepted the long-term proposals.

"As I have explained in my statement of the 14th April, 1946, the Congress scheme for the solution of India's political and constitutional problem rested upon the following fundamental bases :

"The Congress held that in the peculiar circumstances of India a limited but organic and powerful centre confined to certain basic subjects was inevitable. A unitary Government could no more meet the requirements of the case than a division of India into several independent states. A second fundamental principle was the recognition of the complete autonomy of the provinces with all residuary powers vested in them. The Congress held that the provinces would administer all excepting the basic central subjects. From the nature of the case, it would be open to the provinces to delegate to the centre such other subjects as they choose. It is an open secret that the Cabinet Mission's long-term proposals are framed according to the principles laid down in the Congress scheme.

"A question about the implication of provincial autonomy was raised during the recent Simla Conference. It was asked that if the provinces were fully autonomous, did not two or more of them have the right, if they choose, of setting up inter-provincial machinery for administering such subjects as they allocated to it? The declared views of the Congress on the question of provincial autonomy did not permit a denial of the force in the contention. My correspondence during

the Simla Conference has already been released and it has given to the public a clear exposition of the Congress views on the question.

"The only novel feature in the Cabinet Mission's scheme is the idea of grouping the provinces into three different sections. As soon as the constituent assembly meets, it will, according to the proposals of the Cabinet Mission, divide itself into three committees. Each committee will be composed of members from provinces in the appropriate section and will together decide whether to form a group or not. Section 15 of the Cabinet proposals has clearly recognised the rights of provinces to form groups or not. The Cabinet Mission intend that the provinces should exercise this right at a particular stage. The Congress Working Committee holds that whatever the intention of the Cabinet Mission, the statement of 16th May does not bear such an interpretation. They hold that the provinces are fully autonomous and have the right to decide the question at any stage they like. Section 15 and the general spirit of the proposals support the Congress interpretation. The provinces have the right to decide either at the very beginning, before the group constitution has been framed at all, or at the end, after they have examined the group constitution as it has emerged from the committee of the constituent assembly. I am convinced that the Congress interpretation cannot be challenged. If a province decides to remain outside the group from the very beginning it cannot be compelled to come in.

"There is the problem of the Europeans in Assam and Bengal. The Cabinet Mission's proposals have done away with weightage in representation and have clearly laid down that there is to be one representative for every million of the population. This automatically rules the Europeans out of the picture. Once the weightage is discarded, they have no right to any representation at all on the basis of population. It is in the interests of the Europeans themselves to refrain from seeking election or participating in the voting.

"I am confident that the Europeans in Bengal and Assam will act with wisdom and statesmanship. Since the Europeans in Bengal have already decided to refrain from participating in the elections to the constituent assembly, I trust that the Europeans in Assam will follow their example.

"It must, however, be admitted that one grave flaw in this picture is the delay in the formation of a provisional national Government. Such a provisional Government alone can provide the atmosphere in which the constituent Assembly can function with a sense of full freedom and authority. Their mutual interactions are so intimate that each would suffer in the absence of the other. I earnestly hope that this lacuna in the settlement will be filled and a representative and powerful provisional Government will soon be set up.

"In assessing the result of the negotiations we must not forget that the two main objectives of the Congress have been the freedom and the unity of India.

"The Congress stand has been vindicated on both these points.

"The constitution-making body will be a purely Indian assembly elected by Indian votes alone. It will have the unfettered right to shape India's future constitution and decide our relations with the British Commonwealth and the rest of the world, and this sovereign constituent assembly will legislate not for a divided but for a united India. All schemes of partition of India have been rejected once and for all. The power of the Union Centre may be limited, but it will be powerful and organic and will integrate into one harmonious whole the many provincial, linguistic and cultural diversities which characterise the contemporary India."

But even the socialists within the Congress were against the Congress decision of accepting the long-term plan. So much so that when the resolution of the Working Committee was placed before the All-India Congress Committee fifty-one votes went against it whereas two hundred and four were in its favour.

Mr. Achyut Patwardhan, the socialist leader, while opposing the resolution, said that Mr. Attlee had said that the temperature of 1920 or even 1942 was not that of 1946. "I want to know where these sentiments are reflected in the Cabinet Mission's proposals. In my view there has been no great advance in the proposals which we are called upon to accept now than the Cripps proposals which we firmly rejected in 1942. Have we at least been able to remedy the defects in the Cripps proposals?"

Referring to grouping, Mr. Patwardhan asked how the

Congress having once agreed to enter the constituent assembly could say that it did not wish to participate in grouping. The correspondence published so far does not contain any evidence of the Cabinet Delegation having accepted the Congress interpretation of the grouping clause. On the contrary, the Cabinet Mission had made it clear that the Congress interpretation of the clause was not in accord with the intentions of the Cabinet Mission.

Dealing with the proposed Union Government, Mr. Patwardhan said that the subjects allotted to the centre clearly left out finances and economic policy. No Government could be strong unless it had the power over the purse and could co-ordinate and direct the economic policy of the whole country.

Mr. Patwardhan made it clear that his opposition to the grouping clause was not because it helped the Muslim League, but because behind the grouping proposal was the Clive Street European capitalists. The Clive Street interests had exploited the country all these years and under the new proposal also they would continue their exploitation.

"The British tell us that they are ready to quit, but they have not told us that the vested interests they have created in this country during the past hundred and fifty years will also quit.

"Once we enter the constituent assembly, I am sure we will be engrossed in quarrels after quarrels and we shall not be able to do any real work."

Gandhiji, Maulana Azad and Pandit Nehru put forth all their wisdom and eloquence to give vent to their feelings to satisfy the socialist critics as well as other nationalist units who were against the decision.

"I know that there are many defects," said Gandhiji, "in the constituent assembly scheme, but then it is in your power to improve it or to bury it. The constituent assembly scheme looks like iron ore. We can convert it into pure gold by our own efforts. Whatever loopholes there are can be remedied. My advice to you is to accept the scheme even in spite of its defects, for as satyagrahis we have no reason to be afraid of anything. I feel that the scheme is capable of improvement and therefore my urge is in favour of its acceptance."

"It is wrong to think," Pandit Nehru said, "that the Congress has accepted either this plan or that plan. Nothing has been accepted. The Congress has only decided to enter the constituent assembly to frame a new constitution for a free and independent India. There was no other commitment of any kind."

"The British people and their Labour Government have realised," Maulana Azad stated, "that we, the people of India, are determined to have our freedom and nothing on earth can prevent us from reaching our goal. The British Government had, therefore, to make up their mind whether they should transfer power peacefully and quit or allow us to take it forcefully. They have chosen the wiser course."

"The Congress has never departed from its fundamental principle of direct action. We have always sworn by it. We made it clear to the British Government even before the Cabinet Mission was sent to India that they should either give us our freedom or face struggle. We were then told that we were indulging in threats. We made it clear that it was wrong of the British Government to regard it as mere threat. Against this background we started the Delhi negotiations."

"The Muslim League has been demanding all these years the division of India into Hindustan and Pakistan and two separate constituent assemblies to draw up separate constitutions. Both these things have been abandoned by the Muslim League by its acceptance of the Cabinet Mission's proposals of May 16. The result of this proposal is that there shall be one united India and one constituent assembly with one Central Government. I ask if this is not a great achievement. . . ."

VIII

THE STUMBLING BLOCK

"Mr. Jinnah is my very old and dear friend. I have no animosity against him, nor has he against me. I am certainly looking forward to meet him when I reach India," declared Dr. Syed Hussain at a press conference held at the office of the India League in London on March 18.

Dr. Syed Hussain added : "In the days that I was associated with Mr. Jinnah—1916 to 1919—there was no more valiant crusader and fighter on the national side than Mr. Jinnah, and he is not just the kind of person to be disparaged or disposed of. In 1903, as a national leader of India, Mr. Jinnah was infinitely greater than even Mahatma Gandhi or Pandit Motilal Nehru. No other man was rated higher than Mr. Jinnah. This position he had earned for himself by extremely good work. He was in fact known throughout the length and breadth of our beloved land as the ambassador of Hindu-Muslim unity. You must remember that he brought about Hindu-Muslim unity and solidarity. And he is the one man in India who from the beginning of his political career to this day has taken nothing from the British. He is indeed most incorruptible.

"But then came the Khilafat movement of the Congress and Khilafatist Mussulmans, under the leadership of the Ali Brothers, embarked on non-co-operation. Mr. Jinnah fell out from public life, he had no *locus standi* with either the Congress or Khilafat movement, as he was not prepared to support non-co-operation. Some years later, the Khilafat movement died down and there was a kind of vacuum when Mr. Jinnah revived the Muslim League. He did it from the communal angle rather than the national. Thus he himself defeated his lifelong principle of working for nationalism by substituting communalism. I am extremely sorry that he has taken this very misguided line, and it is a tragedy that he should persist in his rather pitiable communal policy."

Mr. Jinnah followed in the footsteps of his prototype

Sir Syed Ahmed Khan. The Syed was at first inclined to act in co-operation with the nationalists who founded the Indian National Congress and later became a supporter of the separatist tendency and believed in securing from the British suzerain greater favours at the cost of Hindu competitors.

It is not surprising that there should be a steady pilgrimage of men from the militant to the moderate camp as they grow old. Even Mr. Jinnah, never a fighter except on points of constitutional law, did not cross to the moderate camp till he had completed three score years and more.

During the days of the Round Table Conference some retired British civilians got hold of a few students of Cambridge and propagated through them the division of India as the solution of her many ills. Indian statesmen looked at the scheme with suspicion and distrust. They held that it would create more problems than it solved. Mr. Jinnah was one of those most vociferous in its condemnation. He declared that no responsible Indian leader would touch the scheme with a pair of tongs. The same Mr. Jinnah is today one of its most ardent advocates. If his original condemnation was right, he is now obviously in the wrong. If he was then wrong, what guarantee is there that he is not committing an equally grave mistake today.

"The scheme of Pakistan," says Prof. Humayun Kabir, "is intended to solve the problem of minorities. The solution is, however, like cutting off the head to cure a headache. Intended to safeguard the interests of the minority Muslims of India, it does so by sacrificing the Muslims wherever they are in a minority. In areas like Bengal or the Punjab, it is obvious that the Muslims who constitute a majority do not need any special protection. Mr. Jinnah's scheme of Pakistan guarantees them complete security but only by throwing the minority Muslims of the United Provinces, Bombay and Madras to the mercy of overwhelming Hindu majority. The U.P. and Delhi have for long been the centre of Muslim learning and culture. If Mr. Jinnah can have his way, they will be cut off from the currents of Muslim life in the Pakistan areas. Delhi and Agra, Deoband and Saharanpur, Ajmer and Lucknow will all be excluded from Mr. Jinnah's Pakistan. Can anything be more Machiavellian than this."

plan of a handful of distinguished British civilians in retirement to divide Muslims and weaken India ?

"Pakistan is patently against the interests of the Muslims in the minority provinces. If, as Mr. Jinnah fears, twenty-five per cent of Muslims cannot safeguard their rights in a united India, how can less than ten per cent Muslims be secure in the Hindustan areas? Hindus will suffer no comparable hardship. Even though the Muslims are in a majority in the Pakistan areas, their majority in no case exceeds sixty per cent. Bengal will have a non-Muslim minority of forty-four per cent and the Punjab of forty-three per cent. Mr. Jinnah's contention that Hindus and Muslims are two nations, even if true, has no application to the problem. If they are two nations, they are so in Pakistan and Hindustan, as well as in united India. If on the other hand, one or other is a minority in Pakistan or Hindustan, how can there be two nations in united India? To argue, as Mr. Jinnah has recently done, that minorities within Pakistan should not be allowed to prevent its achievement destroys the very basis of his own case. If a minority in Pakistan is not allowed to prevent the division of India, why should a minority in India be allowed to force a division against the will of the majority."

Same are the views expressed by Dr. Syed Hussain, a renowned journalist. He is of the opinion that it will be the Muslims who will lose more by partition than Hindus. "If Pakistan eventuates," he says, "three and a half crore Muslims in Hindustan will be like lost sheep, eternally doomed to irredeemable majority, torn away not only from their own fellows but from Hindus as well."

"Much of the area to comprise Pakistan," he continues, "is not economically self-dependent nor has it enough economic resources within it which can be developed later. The Muslims will begin with a comparative handicap of poverty. This is a statistical fact."

He instances the case of the Punjab and says twelve crores of rupees come to the Punjab from the centre for the army. "Who will give that in Pakistan?" he asks. "Economically you begin with a handicap. You cut off Punjab from the actual and potential wealth of India," he explains. "Then," he says, "there is the question of removing this

terrific, crushing illiteracy. Where is money to come from in Pakistan to remove this? You will only be isolating Muslims into poverty and illiteracy and ignorance. In their own Pakistan you will doom the Muslims."

Furthermore says the Doctor in the light of his observation and study in America and European countries, "The whole world trend is against separation. The tendency today is towards larger organisation of units because it is no longer possible for small units to exist economically or culturally."

In an appeal issued to the people of India, the National Committee for India's Freedom in Washington says :

"We are convinced that Britain cannot any longer withhold India's freedom. We see India, with her vast resources, human and material, emerging as one of the greatest nations of the world but we are convinced that all her hopes would be betrayed unless she faces the future as one nation Divided states in India will be condemned to a permanent status of third-rate nations and industrially they will continuously be at the mercy of those who had a head-start and like many small nations will for ever be pawns in international game.

"That is a heart-rending prospect for those who love India more than sectarian interest and it would be an unpardonable betrayal of those martyrs from all communities who laid down their lives for free and greater India."

Mr. Lakshmi Narain, ex-Parliamentary Secretary, U.P., has brought out a pamphlet in which he puts one hundred and one very interesting questions on Pakistan which go a long way to throw light on the practicability of Muslim sovereign state. Some of those questions are :

"Are the Muslims in the world, the Turks, the Arabs, the Egyptians, the Persians, etc., if religion is the basic factor that determines a nation, one nation ?

"Does nationality of a person with a change in his religion change? The moment an Egyptian or a Turk is converted to Christianity, does he cease to belong to the Egyptian or the Turkish nation, or, the moment an Englishman or a Japanese is converted to Islam, does he cease to belong to the English or the Japanese nation ?

"If the husband is a Punjabi Muslim and the wife a Punjabi

All-India Muslim League, while defending Mr. Jinnah's claim of not being an Indian says :

" May I point out that all who live in Europe are Europeans, but there are occasions when Frenchmen or Belgians, for example, must decline to regard themselves as ' Europeans ' but as Frenchmen and Belgians first. The position of Muslims in the Indian sub-continent is exactly similar and they regard themselves as Muslims first when it is a question of preserving their national entity and securing their national freedom. It is not Mr. Jinnah alone, but a hundred million Muslims who would have answered the same question in the same manner—traitors and renegades, of course, excepted "

The examples cited by the Nawabzada are very confusing. He conflicts territorial zones with religion. A German can say that he is a German first and European later but he cannot claim to be a Christian and at the same time decline to be a German.

" If Jinnah says he is not Indian, there is no place for him in constitution," says Sardar Vallabhbhai Patel. " I consider it a monstrous thing," he adds, " that a man can claim different nationality because he changes his religion."

" My own view is," said Pandit Nehru, " that a separate Muslim nation, to be created out of north-east and north-west India, is an absurd and fantastic idea. However it is for the people themselves to decide. I do not want to compel these people to be part of a united India if they do not want. I suggest that a plebiscite should be held after the removal of British troops and British authority from India. I am convinced that, when they know the full facts, the Muslim people will not want to leave us. If they decide to go out, I will let them function as they want. I think they will soon realise that they cannot function separately for long and then they will return."

Pandit Nehru pointed out that in the North-West Frontier Province, the people, though predominantly Muslim, had voted for the Congress. They had shown by a huge majority that they were opposed to a separate Pakistan state. " Any suggestion that the recent elections there were unfair to the Muslim League is just fantastic," he said. " It was, in fact, the other way about. Assam also is obviously opposed to Pakistan. The whole of the southern Punjab, which is pre-

dominantly non-Muslim, is opposed to it. The whole of western Bengal, that is the industrial area including Calcutta, is predominantly non-Muslim. Every non-Muslim is opposed to the division of India. Thus, even on the principle of self-determination to which the Muslim League appeals, four important areas which Mr. Jinnah claims—the Frontier Province, Assam, western Bengal and southern Punjab—cannot form part of Pakistan.

“The scheme of Pakistan is impracticable and untenable. I have not seen any accurate or scientific presentation of what Pakistan is proposed to be. In my opinion, the word Pakistan is used as a kind of political slogan, which has carried a certain amount of response from certain sections of Mussulmans. But ethnologically eighty or eighty-five per cent of the Mussulmans of India belong to the same race as the Hindus, because nationality is not a matter of race or religion. There is no evidence to prove that even a majority of Mussulmans want Pakistan. Mr. Jinnah has not produced any evidence that all Mussulmans want Pakistan. The North-West Frontier Province, which has a predominant majority of Mussulmans, has categorically rejected Pakistan, and the N.-W.F.P. is to be the core of Pakistan !”

Referring to the Jinnahian demand the *Time* of New York writes : “The British policy of ‘divide and rule’ has been turned by Mr. Jinnah to the Pakistan demand ‘divide and quit’. The British Government has given India a unified defence and a unified region of internal free trade. Mr. Jinnah would destroy both. His Pakistan in the north-west and north-east of India would be an agricultural state, poor in resources and industry, unless improbably the Hindus agreed to turn Hindu Calcutta over to Pakistan. Pakistan would dangle like two withered arms. Mr. Jinnah has not concealed that behind Pakistan lies the ancient Asiatic practice of taking hostages. The Hindu minority in Pakistan could by reprisals be made to answer for the persecution of Muslim in Hindu India.”

Let the world say whatever it likes, Mr. Jinnah has proved too obstinate to budge an inch from his present position. He wanted two separate constituent assemblies, one to form constitution for Hindustan and the other to form constitution for Pakistan. He said that if his demand for two

constituent assemblies at the centre was not conceded to, he would turn India upside down. The nationalist press called it an empty threat. The *Tribune* wrote in its editorial of 9th April :

" The League Fascist Council, of which Jinnah is the supreme leader, consists of Muslim capitalist and feudal bullies and it is bound to break up when things take a definite democratic shape and it comes into contact with the realities of the new dynamic situation. Under Mr. Jinnah's leadership the League's politics have throughout been arm-chair politics. How many men are there in the League High Command who have ever undergone any suffering or made any sacrifice for the Muslim community ? These Nawabs and Nawabzadas and Knights and Khan Bahadurs cannot even face the inconvenience of wearing the coarse khaddar woven by Muslim weavers, let alone their facing the rigours of jail life. Of course, they are adepts in the art of inflaming the passions of the ignorant Muslim masses and making them shed their blood so that their own interests may be advanced. It is suggested in certain quarters that if the British Cabinet Mission decides to keep India united the Muslim League will boycott the legislatures. Will it ? It has built up all its power and prestige by manipulations in the assemblies. How can it afford to leave them ? "

Sardar Sant Singh, when he returned to London after visiting the United States as a member of the Indian Food Delegation, told a press correspondent there :

" These Americans seem to be more concerned than ourselves about the threats of civil war. I have told them frankly they are talking arrant nonsense, and I asked them to examine their own history books to find out for themselves how they have preserved their unity. They had no answer when I reminded them of continuous struggle and bloodshed between the north and south for the purpose of preserving a unified America. I maintained that the price of liberty cannot be too high and cannot be under-rated ; and that if, in the process of achieving freedom, bloodshed is inevitable, then we should not fight shy of it. For the sake of upholding democracy and freedom, America and Britain have waged two world wars and millions of human beings, their kith and kin, were slaughtered. Do they now say that the price

was too high ? Of course, I have advised them not to take a serious view of the threats of civil war, and let the Indian people prepare for it. In a country having a population of four hundred million people, if ten million were killed in civil war, it is worth having.

"After all, periodically Indians die in famines under foreign domination. The last famine took a toll of three million people and the next famine may see, we are told, ten million dead. So why are the British and Americans so worried about the blood-bath that Mr. Jinnah is promising day in and day out ? If need be, we must go through this blood-bath for which Mr. Jinnah's intransigence will be mainly responsible. History will judge him not as a champion of a hundred million Mussulmans, but as a man who caused a blood-bath in a country which made him what he is today."

Besides Mr. Jinnah, other League leaders like Khan Abdul Qayum and Sir Feroze Khan Noon also held the same civil war threat. But suppose there was a civil war. Then how did the British imperialism stand to lose ? It would, indeed, get a fine opportunity to reconquer India. The truth is that the Muslim League is not competent to lead even an ordinary agitation involving self-sacrifice on the part of its members. Sir Feroze Khan Noon and Nawabzada Liaquat Ali and such other Muslim landlords and capitalists are certainly not the men who can create upheavals. They have spent their whole life in arm-chairs and if and when a conflict comes they will be found concealing themselves under their padded beds. In the civil war of which Sir Feroze Khan Noon talked so glibly the present feudal-capitalist leadership would be completely engulfed. It might, indeed, throw up leaders both Muslim and Hindu who would be capable of establishing Hindu-Muslim unity on a firm basis.

Anyway, if the civil war in India begins, will it be a matter of pride for Mr. Jinnah or his supporters that they led the brother shed the blood of his brother, burn his house and cause sorrow and suffering to innocent women and children. When these leaders sought the support of their followers they promised them a new heaven on earth where men would live like brothers free from fear of hunger. And now they propose to give them a hell on earth, where people will be at each other's throats like wild animals in the jungle.

It is a pity that even a man like Mr. Jinnah, hailed not many years ago as the ambassador of Hindu-Muslim unity, should talk in terms of bloodshed. This was bound to cause serious alarm amongst sane elements in all communities. Of late base passions had been aroused and tolerance had disappeared from this land of tolerance. Why? Because it was contended that Indians were two nations and it was declared that if this contention was not accepted, heads must be broken. A civil war, in which the exploited use physical force to wrest their rights from their unwilling exploiters, might have some justification. But a civil war just waged to establish the desperate theory that it is impossible for men, who have actually lived together in this country for thousands of years, to live together in the future, that they are two separate nations, that "a Hindu is a Hindu and a Muslim is a Muslim, and never the twain shall meet," is nothing short of madness. And even if a civil war is staged and people on both sides are killed, will it decide anything? It will only result in accentuating the existing problem, whose solution the hot-heads seek through breaking bones. The so-called two nations will again be there in every town, every village and every street, perhaps more embittered against each other.

What did civil war mean? If ever there were any necessity of a revolt, that could only be against those in power, not against the Hindus who were as much slaves as the Muslims. According to Acharya Kripalani the Congress would welcome Mr. Jinnah's revolt against the Government. If any such thing happened, Mr. Jinnah would find himself in Congress camp.

Mr. Jinnah gave a flow to his vituperative capacity against Maulana Azad simply because the latter did not share Mr. Jinnah's view and stood for a united India and because he had issued a dignified, sober and logical statement to which Mr. Jinnah could not meet argument with argument and indulged in mud-slinging. The latest compliments paid by Mr. Jinnah in his statement of the 19th March are :

"Congress Rashterpati", "his version is half-truth", "Muslim Quisling", "his proposal was insidious and was made with a sinister motive", "non-descript Muslim", "careerist", "self-seeker", "a creature", "a puppet", "he has been loyal to his salt", "had he served God with half

the zeal with which he served the Congress he would have occupied at least an honourable position in society", "a few years of life that are now left for him he may enjoy in peace instead of being hackneyed by the Hindu Congress any more", "the only course left to him is to be pensioned off".

As Mr. Brailsford put it, power came into the hands of Mr. Jinnah after long years of frustration and he wielded it ruthlessly. He not only wielded his recently acquired power ruthlessly, but also used the gift of the gab he possessed with mercilessness.

But what kind of power that was. Did he gain that by the service of the people and with the aim to serve the people? Mr. G. M. Sved, Leader of the Sind Coalition Party, throws light upon it :

"Pakistan, in other words, means Kingdom of Heaven or the abode of peace. Can the abode of peace be achieved through the assistance of those who neither believe in morality nor have any personal character? Drinking, gambling, bribe-taking, assisting dacoits and goondas are the virtues of those who trade in the name of Islam.

"In spite of this we are told that we should blindly follow that leadership by submitting, surrendering and obeying their orders . . ."

Referring to the recent elections, Mr. Syed says the two major organisations were unfortunately fighting on future constitutional problems and the provinces were made the scapegoats of high politics. "Whenever a voice is raised against the iniquities, the people are suffering from, attempts are made to misguide the public by slogans of 'Islam in danger' and the attention of the people is cleverly diverted from the real needs to imaginary ones."

Emphasising that Islam was a religion of peace and it came to create affection and harmony in the world, Mr. Syed asks how can a hymn of hate be sung under the garb of that religion but it is being done to achieve the personal ends of vested interests.

While addressing the League Council on the Mission scheme Mr. Jinnah said :

"Six years ago, the position of the Muslims was such that they would have been wiped off. In every department of life the Muslims have suffered and are suffering now. I want

to say put an end to this suffering and for us there is no other goal except establishment of Pakistan.

"I repeat from this platform that delay is not good, either for the British Government or the Hindus. If they love freedom; if they love the independence of India; if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan. Either you agree, or we shall have it in spite of you."

The emphasis is on the sentence "Six years ago, the position of the Muslims was such that they would have been wiped off." Perhaps Mr. Jinnah means to say that the condition of the Muslims was deplorable six years ago when the Pakistan demand was made for the first time in the Lahore session. Perhaps he thinks that the Pakistan demand has raised somewhat the standard of the Muslims and their position has improved during the period of last six years. This argument may appeal to the sentiments of those who back the Pakistan scheme but would certainly look absurd whereas the facts are concerned. When imposing the collective fines the British Government excluded the Muslims. It was a sort of favour to a certain community and was nothing short of a divide-and-rule policy. Today when services in the Government departments are offered to the Muslims a common illiterate Hindu gets prejudiced against the Muslims but is a Hindu leader justified to instigate Hindus to entertain such prejudice? Leaders are to lead the people to brotherhood and prosperity and not to drag them to the depths of hostility and ill-will. Warren Hastings sowed the first seed of communal dissension when he replaced Muslim revenue officials by Hindus as a matter of policy. The permanent settlement was not only an economic and political buttress of British rule but also an instrument to widen communal dissensions. Discriminatory and preferential treatment further widened the gulf in post-1857 era. Lord Dufferin openly encouraged disruptionist tendencies and sought to give a permanent basis to communal differences. Philosophical Morley further helped the process when he extended his support to the demand for separate electorates. The seeds of communal division sowed in the Minto-Morley Reforms were watered by the Lucknow Pact of 1916.—All these were the tactics of the clever Britishers to tighten their hold over

India. Mr. Jinnah declares that its cure lies in facilitating the Britisher to use his tactics of divide and let him perpetuate his rule over both Hindus and Muslims.

Mr. Jinnah and his League accepted the interim Government plan but asked Lord Wavell not to permit the Congress to put a nationalist Muslim in one of the six seats assigned to it, if it wished to do so. It was quite apparent that a national body, that saw many a storm and stress during the course of the last six decades, could never agree to any formula that might lead to parity. Mr. Jinnah's such request to Lord Wavell was, therefore, an indirect hindrance to the Congress in joining the interim Government. What right Mr. Jinnah had to do so? If the Congress adopted such a course, the number of the "Caste" Hindu seats would be reduced from five to four. And if anybody had any right to protest against such an arrangement it was the "Caste" Hindu and not Mr. Jinnah. Mr. Jinnah had no business to interfere through the Viceroy with what the Congress plans to do. Even after securing the pound of flesh he had been persistently demanding, Mr. Jinnah was not satisfied. He wanted to reduce the nationalist Muslims to the position of political pariahs and the Congress to the position of a communal body.

Mr. Jinnah had always claimed that the Muslim League was the sole representative of the Muslims of India. It had almost been an obsession with him. In all his talks with the Congress leaders he had been insisting on it as a *sine qua non* of any communal understanding. The ill-fated Simla Conference also foundered on this rock. It is common knowledge that Mr. Jinnah stuck to his claim of nominating all the five Muslims to the Viceroy's Executive Council, and refused to give even one seat to any non-League Muslim.

The provincial elections proved it to the hilt that the Muslim League was not the sole representative of the Muslim community. Neither in the Punjab nor in Sind had it been able to capture all Muslim seats. And if the number of votes cast for it were compared with those cast against it, it would be found that its popularity was not half as extensive as it claimed it to be. Anyhow it could not deny that it had been definitely defeated by the Congress Party, headed by Dr. Khan Sahib, in the ninety per cent Muslim province of the

Pathans. What right then Mr. Jinnah had to make his request to the Viceroy and on what ground had the Cabinet Mission allotted all the Muslim seats in the interim Government to the League? By what political dialectics could it defend this preposterous dispensation? The Cabinet Mission had not only officially installed the Muslim League on the pedestal of the sole representative of the Muslim community, which it had unsuccessfully been trying to occupy all these years, but also given a slap in the face of Pathan nationalism by including the defeated Frontier Muslim Leaguer, Mr. Nishtar, among the would-be ministers and imprinted a kiss on the cheek of Bengali Pakistanism by extending an invitation to the discredited ex-League Premier of Bengal, Sir Nazim-ud-Din.

The Muslim League stuck to its parity formula and the Delegation backed it. The Congress, therefore, was bound to reject the interim Government plan which it did. The Congress hopes that it will cross all the hurdles through the constituent assembly. Mr. Jinnah says that parity is most dear to him, to his League and to his so-called nation. Parity is spirit of Pakistan. If parity perishes, the idea of Pakistan will be cast to the winds. Whatever the outcome of this struggle may be, one thing that becomes more and more evident is that England will not be able to hold this country in subjection as she has done in the past.

[While the above matter had been sent to press, we learnt that the League Council, reversing its Delhi decision to accept the Cabinet Mission's proposals, had decided to boycott the constituent assembly. (See Appendix A-V.) After the League Fuehrer's claptrap, interspersed with invectives, which took place two days earlier, his loyal organisation's stage-thunder was fully expected. But no stage-thunder has ever destroyed anything. Even if the Council seriously means to boycott the constitution-making body it cannot kill it.]

APPENDIX A

I

RESOLUTION OF THE CONGRESS WORKING COMMITTEE (MAY 24, 1946)

The Working Committee has given careful consideration to the statement dated May 16, 1946, issued by the Delegation of the British Cabinet and the Viceroy on behalf of the British Government as well as the correspondence relating to it that has passed between the Congress President and the members of the Delegation. They have examined it with every desire to find a way for a peaceful and co-operative transfer of power and the establishment of a free and independent India. Such an India must necessarily have a strong central authority, capable of representing the nation with power and dignity in the councils of the world.

In considering the statement the Working Committee have kept in view the picture of the future, in so far as this was available to them from the proposals made for the formation of a provisional Government and the clarification given by members of the Delegation.

This picture is still incomplete and vague. It is only on the basis of the full picture that they can judge and come to a decision as to how far this is in conformity with the objectives they aim at. These objectives are:

Independence for India, a strong, though limited, central authority, full autonomy for the provinces, the establishment of a democratic structure in the centre and in the units, the guarantee of the fundamental rights of each individual so that he may have full and equal opportunities of growth, and further that each community should have opportunity to live the life of its choice within the larger framework.

The Committee regret to find a divergence between these objectives and the various proposals that have been made on behalf of the British Government, and, in particular, there is no vital change envisaged during the interim period when

the provisional Government will function in spite of the assurance given in paragraph 23 of the statement. If the independence of India is aimed at, then the functioning of the provisional Government must approximate closely in fact, even though not in law, to that independence and all obstructions and hindrances to it should be removed. The continued presence of a foreign army of occupation is a negation of independence.

The statement issued by the Cabinet Delegation and the Viceroy contains certain recommendations and suggests a procedure for the building up of a constituent assembly which is sovereign in so far as the framing of the constitution is concerned. The Committee do not agree with some of these recommendations. In their view, it will be open to the constituent assembly itself at any stage to make changes and variations, with the proviso that in regard to certain major communal matters a majority decision of both the major communities will be necessary.

The procedure for the election of the constituent assembly is based on representation in the ratio of one to a million but the application of this principle appears to have been overlooked in the case of European members of assemblies, particularly in Assam and Bengal. Therefore, the Committee expects that this oversight will be corrected.

The constituent assembly is meant to be a fully elected body, chosen by the elected members of the provincial legislatures. In Baluchistan, there is no elected assembly or any other kind of chamber which might elect a representative for the constituent assembly. It would be improper for any kind of nominated individual to speak for the whole province of Baluchistan which he really does not represent in any way.

In Coorg the Legislative Council contains some nominated members as well as Europeans elected from a special constituency of less than a hundred electors. Only the elected members from the general constituencies should participate in the election.

The statement of the Cabinet Delegation affirms the basic principle of provincial autonomy and residuary powers vesting in the provinces. It is further said that provinces should be free to form groups. Subsequently, however, it is recommended that provincial representatives will divide up into

sections which shall proceed to settle the provincial constitutions for the provinces in each section and shall also decide whether any group constitution shall be set up for those provinces.

There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced which clearly infringes the basic principle of provincial autonomy.

In order to retain the recommendatory character of the statement, and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that, in the first instance, the respective provinces shall make their choice whether or not to belong to the section in which they are placed. Thus, the constituent assembly must be considered as a sovereign body, with final authority for the purpose of drawing up a constitution and giving effect to it.

The provisions in the statement in regard to the Indian States are vague and much has been left for future decision. The Working Committee would, however, like to make it clear that the constituent assembly cannot be formed of entirely disparate elements, and the manner of appointing State representatives for the constituent assembly must approximate, in so far as is possible, to the method adopted in the provinces.

The Committee are gravely concerned to learn that even at this present moment some State Governments are attempting to crush the spirit of their people with the help of the armed forces. These recent developments in the States are of great significance in the present and for the future of India, as they indicate that there is no real change of policy on the part of some of the State Governments and of those who exercise paramountcy.

A provisional national Government must have a new basis and must be a precursor of the full independence that will emerge from the constituent assembly. It must function in recognition of that fact, though changes in law need not be made at this stage.

The Governor-General may continue as the head of that Government during the interim period but the Government should function as a cabinet responsible to the Central Legislature. The status, powers and composition of the

provisional Government should be fully defined in order to enable the Committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority.

The Working Committee consider that the connected problems involved in the establishment of a provisional Government and a constituent assembly should be viewed together so that they may appear as parts of the same picture, and there may be co-ordination between the two, as well as an acceptance of the independence that is now recognised as India's right and due. It is only with the conviction that they are engaged in building up a free, great and independent India, that the Working Committee can approach this task and invite the co-operation of all the people of India. In the absence of a full picture, the Committee are unable to give a final opinion at this stage.

II

RESOLUTION OF THE ALL-INDIA MUSLIM LEAGUE COUNCIL (JUNE 6, 1946)

This meeting of the Council of the All-India Muslim League, after having carefully considered the statement issued by the Cabinet Mission and His Excellency the Viceroy on May 16 and other relevant statements and documents officially issued in connection therewith, and after having examined the proposals set forth in the said statement in all their bearings and implications, places on record the following views for the guidance of the nation and direction to the Working Committee :

(1) That the references made and the conclusions recorded in paragraphs 6, 7, 8, 9, 10 and 11 of the statement concerning the Muslim demand for the establishment of full sovereign Pakistan as the only solution of the Indian constitutional problem are unwarranted, unjustified and unconvincing and should not, therefore, have found place in a state document issued on behalf and with the authority of the British Government. These paragraphs are couched in such language and contain such mutilation of established facts that the

Cabinet Mission have clearly been prompted to include them in their statement solely with the object of appeasing the Hindus in utter disregard of Muslim sentiments. Furthermore, the contents of the aforesaid paragraphs are in conflict and inconsistent with the admissions made by the Mission themselves in paragraphs 5 and 12 of their statement which are to the following effect :

(a) The Mission "were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subject to perpetual Hindu-majority rule."

(b) "This feeling has become so strong and wide-spread amongst the Muslims that it cannot be allayed by mere paper safeguards."

(c) "If there is to be internal peace in India, it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, economic or other interests."

(d) "Very real Muslim apprehensions exist that their culture and political and social life might become submerged in a purely unitary India in which Hindus with their greatly superior numbers must be a dominating element."

In order that there may be no manner of doubt in any quarter, the Council of the All-India Muslim League reiterates that the attainment of the goal of complete sovereign Pakistan still remains the unalterable objective of the Muslims of India for the achievement of which they will, if necessary, employ every means in their power and consider no sacrifice or suffering too great.

That notwithstanding the affront offered to Muslim sentiments by a choice of injudicious words in the preamble of the statement of the Cabinet Mission, the Muslim League, having regard to the grave issues involved, and prompted by its earnest desire for a peaceful solution, if possible, of the Indian constitutional problem, and inasmuch as the basis and the foundation of Pakistan are inherent in the Mission's plan, by virtue of the compulsory grouping of the six Muslim provinces in sections B and C is willing to co-operate with the constitution-making machinery proposed in the scheme outlined by the Mission, in the hope that it would ultimately result in the establishment of complete sovereign Pakistan and in the consummation of the goal of independence for the

major nations, and all the other people inhabiting this vast sub-continent.

It is for these reasons that the Muslim League is accepting the scheme and will join the constitution-making body and will keep in view the opportunity and the right of secession of provinces or groups from the Union which have been provided in the Mission's plan by implication.

The ultimate attitude of the Muslim League will depend on the final outcome of the labours of the constitution-making body and on the final shape of the constitutions which may emerge from the deliberations of that body jointly and separately in its three sections.

The Muslim League also reserves the right to modify and revise the policy and attitude set forth in this resolution at any time during the progress of deliberations of the constitution-making body or the constituent assembly or hereafter if the course of events so require, bearing in mind the fundamental principles and ideals hereinbefore adumbrated to which the Muslim League is irrevocably committed.

That with regard to the arrangements for the proposed interim Government at the centre this Council authorises its President to negotiate with the Viceroy and to take such decisions and actions as he deems fit and proper.

III

RESOLUTION OF THE SIKH PANTHIC CONFERENCE (JUNE 10, 1946)

This representative gathering of the Sikhs assembled at Amritsar has given its anxious and earnest consideration to the recommendations of the Cabinet Mission, read with subsequent elucidations, and is of the view that these recommendations will perpetuate the slavery of the country, rather than promote the independence of India.

(a) That the Cabinet Mission while recognising that the establishment of Pakistan would, in particular, affect adversely the position of the Sikhs, yet have by the compulsory grouping of provinces, made recommendations which, in the words of Lord Pethick-Lawrence, Secretary of State for India, "make it possible for the Muslims to secure all the advantages of

Pakistan without incurring the dangers inherent in it".

(b) That the Cabinet Mission while admitting that "the culture and political and social life of the Muslims might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominant element"—and this in spite of the fact that Muslims are nine crores in the population and constitute a majority in several provinces of India, have deliberately blinded themselves to the same danger in a greater degree to the Sikhs under Muslim domination which is sought to be aggravated by the proposed constitution. Needless to add that even under the existing constitution, the Sikhs have been reduced to a position of complete helplessness which has already exasperated them to the verge of revolt.

(c) That while admitting the Punjab to be the "Homeland" of the Sikhs, the Cabinet Mission have by their recommendations liquidated the position of the Sikhs in their Homeland.

(d) That an Advisory Committee is proposed in paragraph 20 for the protection of the rights and interests of Hindus and Muslims on major communal issues but they have made no such provision for the protection of the rights and interests of the Sikhs in the Union or in the provincial sphere.

Therefore, this Panthic gathering expresses its strong condemnation of the recommendations of the Cabinet Mission and declares that they are wholly unacceptable to the Sikhs. This gathering further affirms that no constitution will be acceptable to the Sikhs which does not meet their just demands and is settled without their consent.

IV

RESOLUTION OF THE CONGRESS WORKING COMMITTEE (JUNE 26, 1946)

On May 24, the Working Committee passed a resolution on the statement dated May 16 issued by the British Cabinet Delegation and the Viceroy. In this resolution, they pointed out some defects in the statement and gave their own interpretation of certain parts of it.

Since then the Committee have been continuously engaged

in giving earnest consideration to the proposals made on behalf of the British Government in the statements of May 16 and June 16 and have considered the correspondence in regard to them between the Congress President and the members of the Cabinet Delegation and the Viceroy.

The Committee have examined both these sets of proposals from the point of view of the Congress objective of immediate independence and the opening out of the avenues leading to the rapid advance of the masses, economically and socially, so that their material standards may be raised and poverty, malnutrition, famine and the lack of the necessities of life may be ended and all the people of the country may have the freedom and opportunity to grow and develop according to their genius.

These proposals fall short of these objectives. Yet the Committee considered them dispassionately in all their aspects because of their desire to find some way for the peaceful settlement of India's problem and the ending of the conflict between India and England.

The kind of independence Congress has aimed at is the establishment of a united, democratic Indian federation, with a central authority, which would command respect from the nations of the world, maximum provincial autonomy, and equal rights for all men and women in the country. The limitation of the central authority as contained in the proposals, as well as the system of grouping of provinces, weakens the whole structure and was unfair to some provinces such as the N.-W.F. Province and Assam, and to some of the minorities, notably the Sikhs.

The Committee disapproved of this. They felt, however, that, taking the proposals as a whole, there was sufficient scope for enlarging and strengthening the central authority and for fully ensuring the right of a province to act according to its choice in regard to grouping, and to give protection to such minorities as might otherwise be placed at a disadvantage.

Certain other objections were also raised on their behalf, notably the possibility of non-nationals taking any part in the constitution-making. It is clear that it would be a breach of both the letter and spirit of the statement of May 16 if any non-Indian participated in voting or stands for election to the constituent assembly.

In the proposals for an interim Government contained in the statement of June 16 the defects related to matters of vital concern to the Congress. Some of these have been pointed out in the letter dated June 25 of the Congress President to the Viceroy. The provisional Government must have power and authority and responsibility and should function in fact, if not in law, as a *de facto* independent Government, leading to the full independence to come. The members of such a Government can only hold themselves responsible to the people and not to any external authority. In the formation of a provisional or other Government Congressmen can never give up the national character of the Congress, or accept an artificial and unjust parity, or agree to the veto of a communal group. The Committee are unable to accept the proposals for the formation of an interim Government as contained in the statement of June 16.

The Committee have, however, decided that the Congress should join the proposed constituent assembly, with a view to framing the constitution of a free, united and democratic India.

While the Committee have agreed to Congress participation in the constituent assembly, it is, in their opinion, essential that a representative and responsible provisional national Government be formed at the earliest possible date. A continuation of authoritarian and unrepresentative Government can only add to the suffering of famishing masses and increased discontent. It will also put in jeopardy the work of the constituent assembly, which can only function in a free environment.

The Working Committee recommend, accordingly, to the All-India Congress Committee, and for the purpose of considering and ratifying this recommendation they convene an emergent meeting of the All-India Congress Committee in Bombay on July 6 and 7, 1946.

V

RESOLUTION OF THE ALL-INDIA MUSLIM LEAGUE COUNCIL (JULY 29, 1946)

On the 6th of June, 1946, the Council of the All-India

Muslim League accepted the scheme embodied in the statement of the Cabinet Delegation and the Viceroy dated 16th May, 1946, and explained by them in their statement dated 25th May, 1946. The scheme of the Cabinet Delegation fell far short of the demand of the Muslim nation for the immediate establishment of an independent and fully sovereign state of Pakistan comprising the six Muslim provinces but the Council accepted a Union Centre for ten years strictly confined to three subjects, *viz.*, defence, foreign affairs and communications since the scheme laid down certain fundamentals and safeguards and provided for the grouping separately of the six Muslim provinces in sections B and C for the purpose of framing their provincial and group constitutions unfettered by the Union in any way, and also with a view to ending the Hindu-Muslim deadlock peacefully and accelerate the attainment of freedom of the peoples of India.

In arriving at this decision, the Council was also greatly influenced by the statement of the President, which he made with the authority of the Viceroy, that the interim Government, which was an integral part of the Mission's scheme, was going to be formed on the basis of a formula, *viz.*, five Muslim League, five Congress, one Sikh and one Indian Christian or Anglo-Indian and the most important portfolios to be distributed equally between the major parties, the Muslim League and the Congress. The Council authorised their President to take such decision and action with regard to further details of setting up the interim Government as he deemed fit and proper. In that very resolution the Council also reserved the right to modify and revise this policy, if the course of events so required.

The British Government have committed a breach of faith with the Muslim League in that the Cabinet Delegation and the Viceroy went back on the original formula of 5 : 5 : 2 for setting up of the interim Government to placate the Congress.

The Viceroy, having gone back on the original formula upon the basis of which the Muslim Council came to their decision on the 6th of June, suggested a new basis of 5 : 5 : 3 and after carrying on considerable negotiations with the Congress and having failed to get the Congress to agree intimated to the parties on the 15th of June that he and the Cabinet Delegation would issue their final statement with

regard to the setting up of the interim Government.

Accordingly on the 16th of June the President of the Muslim League received a statement embodying what was announced to be the final decision for setting up the interim Government by the Viceroy making it clear that if either of the two major parties refused to accept the statement of June 16 the Viceroy would proceed to form the interim Government with the major parties accepting it and such other representatives as were willing to join. This was explicitly laid down in the paragraph 3 of the statement of June 16.

Even this final decision of the Cabinet Mission of the 16th of June with regard to the formation of the interim Government was rejected by the Congress whereas the Muslim League definitely accepted it although it was different from the original formula, *i.e.*, 5 : 5 : 2,—because the Viceroy provided safeguards and gave other assurances which are in his letter dated the 20th of June, 1946.

The Viceroy, however, scrapped the proposal of the 16th of June and postponed the formation of the interim Government on the plea concocted by the legalising talents of the Cabinet Mission putting a most fantastic and dishonest construction upon paragraph 8 of the statement to the effect that as both the major parties, *i.e.*, the Muslim League and the Congress, had accepted the statement of May 16 the question of the interim Government could only be taken up in consultation with the representatives of both the parties *de novo*.

Even assuming that this construction was tenable, for which there is no warrant, the Congress, by their conditional acceptance with reservations and interpretations of their own as laid down in the letter of the ex-President of the Congress dated the 25th of June and the resolution of the Working Committee of the Congress passed at Delhi on the 26th of June, repudiating the very fundamentals of the scheme, had, in fact, rejected the statement of the 16th of May and, therefore, in no event there was any justification whatsoever for abandoning the final proposals of the 16th of June.

As regards the proposal embodied in the statements of the 16th and 20th of May of the Cabinet Delegation and the Viceroy the Muslim League alone of the two major parties had accepted it.

The Congress have not accepted it because their acceptance

is conditional and subject to their own interpretations which is contrary to the authoritative statements of the Delegation and the Viceroy issued on the 16th and the 25th of May. The Congress have made it clear that they do not accept any of the terms of the fundamentals of the scheme, but that they have agreed only to go into the constituent assembly and to nothing else and that constituent assembly is a sovereign body and can take such decisions as it may think proper in total disregard of the terms and the basis on which it is to be set up. Subsequently they made this further clear beyond doubt in the speeches that were made at the meeting of the All-India Congress Committee in Bombay on the 6th of July by prominent members of the Congress and in the statement of Pandit Jawaharlal Nehru, the President of the Congress, to a press conference on 10th July in Bombay and then again even after the debate in Parliament in a public speech by him at Delhi on the 22nd of July.

The result is that of the two major parties, the Muslim League alone has accepted the statement of May 16th and 25th according to the spirit and letter of the proposals embodied therein, and in spite of the attention of the Secretary of State for India having been drawn to this situation by the statement of the President of the Muslim League of the 13th July from Hyderabad, Deccan, neither Sir Stafford Cripps in the House of Commons, nor Lord Pethick-Lawrence in the House of Lords in the course of the recent debate have provided or suggested any means or machinery to prevent the constituent assembly from taking decisions which would be *ultra vires* and not competent for the assembly to take. The only reply to this matter that the Secretary of State gave was mere expression of a pious hope and said : " That would not be fair to the other parties who go in."

Once the constituent assembly has been summoned and met, there is no provision or power that could prevent any decision from being taken by the Congress with its overwhelming majority, which would not be competent for the assembly to take or which would be *ultra vires* of it and however repugnant it might be to the letter or the spirit of the scheme. It would rest entirely with the majority to take such decisions as they may think proper or suit them and the Congress has already secured by sheer number an overwhelm-

ing Hindu caste majority and they will be in a position to use the assembly in the manner in which they have already declared, i.e., that they will wreck the basic form of the grouping of the provinces and extend the scope, powers and subjects of the Union Centre which is confined strictly to three specific subjects as laid down in paragraph 15 and provided for a paragraph 19 of the statement of 16th May.

The Cabinet Delegation and the Viceroy collectively and individually have stated several times that the basic principles were laid down to enable the major parties to join the constituent assembly and that the scheme cannot succeed unless it is worked in a spirit of co-operation. The attitude of the Congress clearly shows that these conditions precedent for the successful working of the constitution-making do not exist. This fact, taken together with the policy of the British Government of sacrificing the interests of the Muslim nation and some other weaker sections of the peoples of India, particularly the scheduled castes, to appease the Congress and the way in which they have been going back on their oral and written solemn pledges and assurances given from time to time to the Muslims, leave no doubt that in these circumstances the participation of the Muslims in the proposed constitution-making machinery is fraught with danger and the Council, therefore, hereby withdraws its acceptance of the Cabinet Mission's proposals which was communicated to the Secretary of State for India by the President of the Muslim League on 6th of June, 1946.

APPENDIX B

I

STATEMENT OF THE CABINET DELEGATION AND THE VICEROY (MAY 16, 1946)

1. On March 15th last just before the despatch of the Cabinet Delegation to India Mr. Attlee, the British Prime Minister, used these words :

“ My colleagues are going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide ; but our desire is to help her to set up forthwith the machinery for making that decision.

“ I hope that India and her people may elect to remain within the British Commonwealth. I am certain that they will find great advantages in doing so.

“ But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible.”

2. Charged in these historic words we—the Cabinet Ministers and the Viceroy—have done our utmost to assist the two main political parties to reach agreement upon the fundamental issue of the unity or division of India. After prolonged discussions in New Delhi we succeeded in bringing the Congress and the Muslim League together in Conference at Simla. There was a full exchange of views and both parties were prepared to make considerable concessions in order to try and reach a settlement but it ultimately proved impossible to close the remainder of the gap between the parties and so no agreement could be concluded. Since no agreement has been reached we feel that it is our duty to put

forward what we consider are the best arrangements possible to ensure a speedy setting up of the new constitution. This statement is made with the full approval of His Majesty's Government in the United Kingdom.

3. We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India and an interim Government may be set up at once to carry on the administration of British India until such time as a new constitution can be brought into being. We have endeavoured to be just to the smaller as well as to the larger sections of the people; and to recommend a solution which will lead to a practicable way of governing the India of the future, and will give a sound basis for defence and a good opportunity for progress in the social, political and economic field.

4. It is not intended in this statement to review the voluminous evidence that has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire, outside the supporters of the Muslim League, for the unity of India.

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India, since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule.

This feeling has become so strong and wide-spread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion and economic or other interests.

6. We, therefore, examined in the first instance the question of a separate and fully independent sovereign state of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas; one in the north-west consisting of the provinces of the Punjab, Sind, North-West Frontier, and British Baluchistan; the other in the north-east consisting of the provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a

separate state of Pakistan was based, first, upon the right of the Muslim majority to decide their method of Government according to their wishes, and secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six provinces enumerated above would be very considerable as the following figures taken from the recent census taken in 1941 shows :

<i>North-Western Area</i>	<i>Muslim</i>	<i>Non-Muslim</i>
Punjab	16,217,242	12,201,577
North-West Frontier Province	2,788,797	249,270
Sind	3,208,325	1,326,683
British Baluchistan	438,930	62,701
	<hr/> 22,653,294	<hr/> 13,840,231
	<hr/> 62.07%	<hr/> 37.93%
 <i>North-Eastern Area</i>		
Bengal	33,005,434	27,301,091
Assam	3,442,479	6,762,254
	<hr/> 36,447,913	<hr/> 34,063,345
	<hr/> 51.69%	<hr/> 48.31%

The Muslim minorities in the remainder of British India number some twenty million dispersed amongst a total population of one hundred and eighty-eight million.

These figures show that the setting up of a separate sovereign state of Pakistan on the lines claimed by the Muslim League would not solve the communal minority problem ; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas from Pakistan. This point would particularly affect the position of the Sikhs.

7. We therefore considered whether a smaller sovereign

Pakistan confined to the Muslim-majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (a) the whole of the Ambala and Jullundur Divisions in the Punjab; (b) the whole of Assam except the district of Sylhet; and (c) a large part of Western Bengal, including Calcutta, in which city the Muslims form 23·6 per cent of the population. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces.

Bengal and the Punjab each has its own common languages and a long history and tradition. Moreover, any division of the Punjab would of necessity divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We have therefore been forced to the conclusion that neither a larger nor a smaller sovereign state of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative, economic and military considerations. The whole of the transportation and postal and telegraph systems of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian armed forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian army and would entail the gravest dangers. The Indian Navy and Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of the Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally there is the geographical fact that the two halves of the proposed Pakistan state are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill

of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign states.

12. This decision does not however blind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which provinces would have full autonomy subject only to a minimum of central subjects, such as Foreign Affairs, Defence and Communications.

Under this scheme provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some ministers, who dealt with compulsory subjects, were responsible to the whole of India while other ministers, who dealt with optional subjects, would be responsible only to those provinces which had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their provinces were not concerned were under discussion.

Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other provinces, which did not desire to take the optional subjects at the centre, the right to form themselves into a group for a similar purpose. This would indeed be no more than the exercise of their autonomous powers in a particular way.

14. Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto

existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be matter for negotiation during the building up of the new constitutional structure, and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the provinces of British India in the paragraphs which follow.

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties, and would at the same time be most likely to bring about a stable and practicable form of constitution for all-India.

We recommend that the constitution should take the following basic form :

- (1) There should be a Union of India embracing both British India and the States, which should deal with the following subjects : Foreign Affairs, Defence and Communications ; and should have the powers necessary to raise the finances required for the above subjects.
- (2) The Union should have an executive and a legislature constituted from British Indian and States representatives. Any question raising a major communal issue in the legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.
- (3) All subjects other than the Union subjects and all residuary powers should vest in the provinces.
- (4) The States will retain all subjects and powers other than those ceded to the Union.
- (5) Provinces should be free to form groups with executives and legislatures and each group could determine the provincial subjects to be taken in common.

- (6) The constitution of the Union and of the groups should contain a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten-yearly intervals thereafter.

16. It is not our object to lay out the details of a constitution on the above lines, but to set in motion the machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary however for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18. In forming any assembly to decide a new constitutional structure the first problem is to obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise; but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new constitution. The only practicable alternative is to utilise the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion to the total population in each province. Thus Assam with a population of ten millions has a Legislative Assembly of 108 members while Bengal, with a population six times as large, has an Assembly of only 250. Secondly owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the province. Thus the number of seats reserved for Muslims in the Bengal Legislative Assembly is only forty per cent of the total although they form fifty-five

per cent of the provincial population. After a most careful consideration of the various methods by which these inequalities might be corrected, we have come to the conclusion that the fairest and most practicable plan would be—

- (a) to allot to each province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage ;
- (b) to divide this provincial allocation of seats between the main communities in each province in proportion of their population ;
- (c) to provide that the representatives allotted to each community in a province shall be elected by the members of the community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognise only three main communities in India : General, Muslim and Sikh, the "General" community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities.

19. (1) We therefore propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislature (General, Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote :

Table of Representation

SECTION A				
<i>Province</i>		<i>General</i>	<i>Muslim</i>	<i>Total</i>
Madras	...	45	4	49
Bombay	...	19	2	21
United Provinces	...	47	8	55
Bihar	...	31	5	36
Central Provinces	...	16	1	17
Orissa	...	9	0	9
Total		167	20	187

SECTION B				
<i>Province</i>	<i>General</i>	<i>Muslim</i>	<i>Sikh</i>	<i>Total</i>
Punjab ...	8	16	4	28
North-West Frontier Province ...	0	3	0	3
Sind ...	1	3	0	4
Total ...	9	22	4	35

SECTION C			
<i>Province</i>	<i>General</i>	<i>Muslim</i>	<i>Total</i>
Bengal ...	27	33	60
Assam ...	7	3	10
Total ...	34	36	70

Total for British India	...	292
Maximum for Indian States	...	93

Total ... 385

Note.—In order to represent the Chief Commissioners' provinces there will be added to section A the member representing Delhi in the Central Legislative Assembly, the member representing Ajmer-Merwara in the Central Legislative Assembly, and a representative to be elected by the Coorg Legislative Council.

To section B will be added a representative of British Baluchistan.

(ii) It is the intention that the States should be given in the final constituent assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed twenty-three, but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a negotiating committee.

(iii) The representatives thus chosen shall meet at New Delhi as soon as possible.

(iv) A preliminary meeting will be held at which the general order of business will be decided, a chairman and other officers elected, and an advisory committee (*see para*

graph 20 below) on the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into the three sections shown under A, B and C in the Table of Representation in subparagraph (i) of this paragraph.

(v) These sections shall proceed to settle the provincial constitutions for the provinces included in each section, and shall also decide whether any group constitution shall be set up for those provinces and, if so, with what provincial subjects the group should deal. Provinces shall have the power to opt out of the groups in accordance with the provisions of sub-clause (viii) below.

(vi) The representatives of the sections and the Indian States shall reassemble for the purpose of setting the Union constitution.

(vii) In the Union constituent assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities.

The chairman of the assembly shall decide which (if any) of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives or either of the major communities, consult the Federal Court before giving the decision.

(viii) As soon as the new constitutional arrangements have come into operation, it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the new legislature of the province after the first general election under the new constitution.

20. The advisory committee on the rights of citizens, minorities, and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union constituent assembly upon the list of fundamental rights, the clauses for the protection of minorities, and a scheme for the administration of the tribal and excluded areas, and to advise whether these rights should be incorporated in the provincial group, or Union constitution.

21. His Excellency the Viceroy will forthwith request

the Provincial Legislatures to proceed with the election of their representatives and the States to set up a negotiating committee. It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a treaty between the Union constituent assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

23. While the constitution-making proceeds, the administration of India has to be carried on. We attach the greatest importance therefore to the setting up at once of an interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy task of day-to-day administration, there is the grave danger of famine to be countered; there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future; and there are important international conferences in which India has to be represented. For all these purposes a Government having popular support is necessary. The Viceroy has already started discussions to this end, and hopes soon to form an interim Government in which all the portfolios, including that of War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

24. To the leaders and people of India who now have the opportunity of complete independence we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new constitution under which they will live. Despite the labours which we have shared with the Indian parties, and the exercise of much patience and goodwill by all, this has not been possible. We therefore now lay before you proposals which, after

listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognise with us that at this supreme moment in Indian history statesmanship demands mutual accommodation.

We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian parties have made together for agreement, we must state that in our view there is small hope of peaceful settlement by agreement of the Indian parties alone. The alternative would therefore be a grave danger of violence, chaos, and even civil war. The result and duration of such a disturbance cannot be foreseen: but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen and the world as a whole.

We therefore lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be we look forward with you to your ever-increasing prosperity among the great nations of the world, and to a future even more glorious than your past.

II

MR. JINNAH'S STATEMENT (MAY 22, 1946)

I regret that the Mission should have negatived the Muslim demand for the establishment of a complete sovereign state of

Pakistan which, we still hold, is the only solution of the constitutional problem of India and which alone can secure a stable government and lead to the happiness and welfare, not only of the two major communities but of all the people of this sub-continent.

It is all the more regrettable that the Mission should have thought it fit to advance commonplace and exploded arguments against Pakistan and resort to special pleadings, couched in deplorable language, which is calculated to hurt the feelings of Muslim India. It seems that this was done by the Mission simply to appease and placate the Congress because when they come to face realities, they themselves have made the following pronouncement embodied in paragraph 5 of their statement, which reads: The consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India: since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule. This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India, it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, and economic or other interests.

1. They have divided Pakistan into two, what they call section B (for the north-western zone) and section C (for the north-eastern zone).

2. Instead of two constitution-making bodies only one constitution-making body is devised with three sections A, B and C.

3. They lay down that there should be a Union of India, embracing both British India and States which should deal with the following subjects: foreign affairs, defence and communications; and should have power necessary to raise the finances required for the above subjects.

There is no indication at all that the communications would be restricted to what is necessary for defence, nor is there any indication as to how this Union will be empowered to raise finances required for these three subjects while our view was that finances should be raised only by contribution and not by taxation.

4. It is laid down that the Union should have an executive and legislature constituted from British India and States representatives. Any question raising a major communal issue in the legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as majority of all the members present and voting.

While our view was (a) there should be no legislature for the Union but the question should be left to the constituent assembly to decide ; (b) that there should be parity of representation between Pakistan group and Hindustan group in the Union executive and legislature if any ; (c) that no decision legislative, executive or administrative should be taken by the Union in regard to any matter of controversial nature except by a majority of three-fourths and all the three terms of our offer have been omitted from the statement. No doubt there is one safeguard for the conduct of business in the Union legislature that "any question raising a major communal issue in the legislature should require for its decision majority of the representatives present and voting of each of the major communities as well as a majority of all the members present and voting."

Even this is vague and ineffective. To begin with who will decide as to what is a major communal issue and what a minor communal issue and what is purely non-communal issue ?

5. Our proposal that the Pakistan group should have the right to secede from the Union after the initial period of ten years, although the Congress had no serious objection to it, has been omitted and now we are only limited to reconsideration of the terms of the Union constitution after the initial period of ten years.

6. There again the representative of British Baluchistan is included in section B ? But how he will be selected is not indicated.

7. With regard to the constitution-making body for the purpose of framing the proposed Union constitution it will have an overwhelming Hindu majority as in a house of 292 for British India Muslim strength will be 79. And if the number allotted to the Indian States 93 is taken into account, it is quite obvious that the Muslim proportion will be further reduced as the bulk of the States representatives would be

Hindus. This assembly so constituted will elect the chairman and other officers, it seems also the members of the advisory committee referred to in paragraph 20 of the statement, by majority and the same rule will apply also to other normal business.

8. With regard to the provinces opting out of their group it is left to the new legislature of the provinces after the first general elections under the new constitution to decide instead of referendum of the people as was suggested by us.

9. Paragraph 20 runs as follows: "The advisory committee on the rights of citizens, minorities and tribal and excluded areas should contain full representation of the interests affected and their function will be to report to the Union constituent assembly upon the list of fundamental rights, the clauses for the protection of minorities and a scheme for the administration of the tribal and excluded areas and to advise whether these rights should be incorporated in the provincial group or Union constitution."

This raises a very serious question indeed for if it is left to the Union constituent assembly to decide these matters by majority vote and whether any of the recommendations of the advisory committee should be incorporated in the Union constitution then it will open the door to more subjects being vested in the Union Government. This will destroy the very basic principle that the Union is to be strictly confined to three subjects.

These are some of the points which I have tried to put before the public after studying this important document. I do not wish to anticipate the decision of the Working Committee and the Council of the All-India Muslim League which are going to meet shortly at Delhi. They will finally take such decision as they may think proper after careful consideration of the pros and cons and thorough and dispassionate examination of the statement of the British Cabinet Delegation and His Excellency the Viceroy.

III

JOINT STATEMENT OF MRS. ARUNA ASAF ALI,
DR. RAM MANOHAR LOHIA AND MESSRS.
JAIPRAKASH NARAIN AND ACHYUT
PATWARDHAN (JUNE 8, 1946)

The Indian people are facing a momentous decision which will finally determine the direction of their political effort in the present and immediate future. The Indian National Congress has shaped and directed this effort for over sixty years and it has evolved and established through many struggles the unalterable essentials of real freedom for the people of this land. Whatever decision we are called upon to make must be examined strictly in terms of the fundamentals of our nationalism :

- (1) Abolition of every vestige of foreign domination.
- (2) The political and economic unity of our people.
- (3) A growing equality in our political and economic relationships expressed through democratic forms of administration.
- (4) A common code of fundamental rights, establishing a uniform and equal status for every citizen in political, social and economic spheres, over-riding religious or regional differences.

Should we hold fast to those fundamentals, refusing to whittle down our essential demands and count no cost too great ? Such a decision may lead us once again into conflict with the powers that are with all that follows in the wake of the conflict.

Or should we in the alternative accept to work along with parties and persons who have heretofore opposed us at every step in spirit of co-operation and compromise ?

We are at the cross-roads and whatever decisions we take on the British Cabinet's proposals must be determined by the essentials which have sustained us in every crisis during the past.

Complete independence is only an expression unless it means the end of British domination, direct or indirect. This demands the withdrawal of British troops even before the meeting of the constituent assembly as it must possess

sovereign status. It is equally necessary to eliminate the British capitalist interests who act either on their own or in alliance with Indian capitalists and even by destiny for over a century.

Similarly, the powers exercised by the Viceroy, both as the Governor-General and as the Crown Representative, must end in the interim period itself, if a free India is to emerge out of our present deliberations. The absence of primary civil liberties in the States and their violation by the Princes during this period of transition would defeat our very objective.

In the second place, we want to found our freedom on national unity and democracy. Any compromise which we are called upon to make must always be subjected to a single test. Do they consolidate our unity?

A Central Government cannot establish unity in any state in the world of today by its control over foreign policy and defence alone. Foreign policy may be defeated by the lack of cohesiveness and solidarity in relation to foreign trade and economic relationships. These, along with planning, must be recognised as the irreducible minimum of effective central authority. It would be futile to create a Central Government that presides over its own ineffectiveness by lack of sufficient authority.

The compulsory grouping of provinces opens the door to the exercise of backdoor influence in Indian economic life by British monopolist interests, which the central authority would be powerless to resist.

The substance of independence is shaped by the forces of democracy within the new state. When its foundations are being laid in a totally undemocratic fashion, independence must remain a mirage. We cannot forget that hundreds of Congressmen were still in jail when the present legislatures were created by the electors, tampering with the electorate in the Muslim constituencies in more than one province. These legislatures are, therefore, not all representative of the real forces of Indian nationalism. A constituent assembly elected out of them would merely caricature democracy.

The British Government has not approached its self-chosen duty with honesty of purpose or directness of effort. They have thus further encouraged the forces of disruption by refusing to demand from the Princes a clear and uniform

charter of civil rights here and now. This single instance would suffice to throw light on their motive. The Labour Government has proved that socialism at home does not mean liquidation of imperialism abroad.

The proposal of compulsory grouping denies the autonomy of provinces and thereby removes the keystone from the constitutional arch.

Under these circumstances any participation in their plans can only lead to further disruption of our national forces. The Congress must reject these proposals and refuse to elect members to such a constituent assembly and move forward to the convening of a constituent assembly directly elected by the adult men and women of India.

India will have to wait for many decades if we were to depend upon British co-operation or goodwill for attaining our freedom. It will arise out of our own unaided effort to build up from below the peoples constituent authority. Let every village and every *mohalla* of our towns seek to build its own parallel authority. Let it strive to assume authority over its own affairs and seek to act as a sovereign free state in India.

The Hindustan of our desire shall have no place for a soldier who is not our national, none for capital which we do not dispose of as we will and it will grow with the glory of its improving free men as one and united. Constitutional devices are here of little avail. A new state must be born. To create this state of free India the unretreating strength of our people is our sole weapon and the Indian National Congress its edge and point. So onwards to this final spurt of creative action, of work and organisation that will steel up our people and their Congress into a force irresistible like the elements.

APPENDIX C

I

HINDU MAHASABHA'S MEMORANDUM

1. Immediate declaration of independence of India.
2. Formation of an interim Government with complete transfer of all power and authority of the Government of India to this Government.
3. Recognition of India's integrity and indivisibility.
4. Opposition to territorial self-determination.
5. Indian constitution to be of the federal type.
6. Provision for the grant of utmost measure of autonomy to the federating units,—the provinces and the States—but with the residue of powers vested in the centre.
7. Governing principle of the constitution to be democracy which meant the rule of the majority.
8. Representation in legislatures on the principle of adult franchise.
9. No division of India into British India and the Indian States.

10. The setting up of a sovereign constituent assembly.

The memorandum states that as all sovereignty in respect of India was vested in the Indian people it was the right of Indians to be fully and completely free.

As regards the interim Government, the memorandum says that it should be composed of eleven representatives elected by the eleven provincial Legislative Assemblies who would co-opt four members representative of such minorities as were not represented on it. These fifteen members need not be members of Legislative Assemblies.

One of the primary functions of this Government would be to provide adequate facilities to the constituent assembly to carry on its work without hindrance. The constituent assembly itself should be as small a body as possible and should be composed of the members elected by the provincial Legislative Assemblies with power to co-opt representatives.

of such minorities as were not represented on it and some experts, if necessary.

The constituent body should be a sovereign one which would decide the terms of the treaty with Great Britain. It would decide all matters by a majority vote and these decisions shall be binding on all.

II

SIKHS' MEMORANDUM

The origin of our community lies in religious intolerance and political domination. Since its birth, it has played an historic role. Contributions out of all proportions to our numbers have been made by us to the prosperity of the country in peace-time and to the defence of the country in war-time. Before the advent of the British Raj, we enjoyed in the north-west of India an independent economic and political status, which has gradually deteriorated since we lost our kingdom. We further wish to point out that with the inauguration of the provincial autonomy we have been reduced to a state of complete helplessness in the Punjab which is admittedly the Home-land and Holy-land of the Sikhs.

With the proposed complete transfer of power to Indians it is obvious that the detailed statement of the Sikh case very largely depends upon what kind of agreement on the fundamentals of the constitution is arrived at between the various parties concerned. Suffice it to say that we are not satisfied with the present arrangements under the scheme of the Communal Award.

We, however, make it plain that we stand for united India but at the same time we cannot blind ourselves to the fact that the Muslims have declared that they are a separate nation and on that basis they are entitled to a separate state of Pakistan. Under these circumstances we cannot fail to take note of the possibility of settlement being reached on the basis of Pakistan or Confederation.

In united India to safeguard our position against economic domination and religious absorption we want :

(a) That the Muslim majority in the legislature of the

province must go and that the Sikh position must be strengthened by increased representation so as to make it effective in the administration of the country. Or provincial boundaries may be re-aligned so as to form a new province in the Punjab, which the Sikhs may call their own.

(b) And in either case adequate provision for the maintenance of our traditions and free development of our religious, economic, cultural and social institution be made.

(c) Adequate representation must be given to the Sikhs in the Central Legislatures.

In case of Pakistan or Confederation, as a protection against religious intolerance and political domination, we want—

(a) a separate Sikh state and

(b) a separate constitution-making body.

It does not seem practical to go into details at this stage as these must necessarily depend on the form of the settlement of the fundamentals of the constitution. We also consider it inadvisable to discuss the details as we are anxious to avoid at this stage any contention. For, in this way, we believe that we will be serving the best interests of the country.

III

COMMUNISTS' MEMORANDUM

The Communist Party's memorandum, submitted to the British Cabinet Mission, demands an unequivocal and unambiguous declaration recognising Indian independence and Indian sovereignty.

In further proof of its sincerity, the British Government should declare its determination to effect within six months the total withdrawal of British troops from all Indian territory, including the States.

Such a declaration should be made and implemented irrespective of whether India's political parties have settled their differences. The question of Indian unity is an internal question to be settled by the people themselves. It cannot be made an excuse for the refusal of Britain to transfer power. The withdrawal of British troops and the recognition

of India's sovereignty must begin forthwith.

Any attempt to exploit the differences among the Indian people, to impose an arbitrary partition and to retain the Princes in order to perpetuate British domination will be resisted by the Indian people with all the strength at their command.

The memorandum suggests the establishment of a provisional Government based on the main popular parties and says that the best course would be an agreement between the Congress and the League for parity in the Government and for adequate representation to minorities.

The acute differences between the Congress and the League on the issue of the constituent assembly can only be settled by the just application of the principle of self-determination.

We suggest that the provisional Government should be charged with the task of setting up a boundaries commission to re-draw the boundaries on the basis of natural ancient homelands of every people so that re-demarcated provinces become as far as possible linguistically and culturally homogeneous national units, for example, Sind, Pathanland, Western Punjab.

The people of each unit should have the unfettered right of self-determination, i.e., the right to decide freely whether they join the Indian Union or form a separate sovereign state or another Indian Union.

The elections to the constituent assembly should, therefore, be based on recognition of this fundamental right and during the elections the question of separation or union should be put off by the political parties of the people. The delegates elected from each national unit should decide by a majority whether they will join the all-India constituent assembly to form an Indian Union or remain out and form a separate sovereign state by themselves or join another Indian Union.

The Communist Party stands for the free voluntary democratic Indian Union or sovereign units. It is firmly convinced that the best interests of the Indian masses will be served by their remaining together in one common union, in a common brotherhood to defend the freedom and solve the problems of poverty which require the co-operation of

all. It is only on the basis of the application of the principle of self-determination, as indicated above, that Indian unity can be preserved.

IV

CHRISTIANS' MEMORANDUM

Indian Christians, including those in tribal areas, number over seven millions in India and thus form the largest religious minority next to the Muslims. The two largest and most representative organisations of Indian Christians are :

(1) "The All-India Conference of Indian Christians" which has been in existence since 1914 and has nineteen affiliated associations. It is composed mostly of Protestants ; and

(2) "The Catholic Union of India" composed entirely of Roman Catholics spread throughout India of which Mr. Ruthnaswami is the President.

For common action these two bodies have a joint committee which represents the views of Indian Christians as a whole.

We wish to make it clear to His Excellency the Viceroy and the Cabinet Delegation that we are in no way behind any political or religious body in our keen desire for a free and fully self-governing India in the very near future. Though we have separate organisations of our own, we neither profess nor wish to be a separate political part. Members of Indian Christian Association in fact belong to different political parties, including the Indian National Congress and the National Liberal Federation. Our main position in political matters has been increasingly identical with the views of the nationalist school of thought. While we desire the immediate grant of full self-government, we hope that friendly relations and co-operation will exist between a free India and Great Britain on terms of equality and reciprocity to their mutual advantage. In this connection we hope and believe that the British Government, the Viceroy and the British Cabinet Delegation are genuinely anxious to see a self-governing India in the immediate future.

Indian Christians ask for no special political privileges for

their community in the India of the future. They are ready to accept joint electorates in the legislatures and public local bodies with or without reservation of seats and to agree to appointments by Government or local bodies being made on the basis of merit alone. If, however, in making constitutional changes or in setting up machinery for evolving a constitution, recognition is given to the separate existence as political entities of the Hindus, Muslims, Sikhs and other communities, the rights of Indian Christians should be similarly recognised.

While Indian Christians realise that, as a relatively small community, they must and should depend ultimately on the goodwill of the two major communities, they are very anxious that they and other religious minorities should have statutory rights of protection for their religious beliefs, including the right to practise and propagate their religion. In brief, they desire that all individuals and communities should have the fullest freedom of conscience.

Indian Christians desire that the future India should be a united India. But with a view to meet the legitimate claims of the Muslim community large powers should be vested in the provinces. Further, there should be full safeguards for minorities and adequate machinery, *e.g.*, the courts of law for making them effective. Central and provincial minorities commissions should also be created as proposed by the Sapru Committee. We deplore the present communal cleavage and have been, and always will be, ready to place our services both individually and collectively at the disposal of all who favour communal harmony.

A central interim Government should be formed immediately.

And we hope that in view of our numbers and under existing conditions representation will be given to us on it or on any preliminary conference of the leaders of the various political parties from a panel of names submitted by the joint committee referred to in paragraph 2. We also trust that we shall have an adequate number of representatives in any constituent assembly that will be called. The Sapru Committee recommended seven Indian Christians out of a total number of one hundred and sixty representatives. These representatives should either be elected by an electoral college

consisting of Indian Christian members of the Provincial Legislatures by a system of proportional representation or should be recommended for appointment by accredited organisations such as the joint committee of the All-India Conference of Indian Christians and the Catholic Union of India, or some by the first method and some by the second. Alternatively, we suggest the appointment of a delegation of seven persons consisting of four principal and three substitute members, the latter having the right to attend and participate in debates, but not to vote. Substitute members should also be eligible for appointment on committees.

Before we close we should like to point out the services rendered to our country by the relatively large number of Indian Christian women in the educational, medical and nursing services in India. Further, in the recent war the numbers of Indian Christians, officers and soldiers, in the Navy, Air Force and Army, relative to the population strength of our community, were considerable.

We cannot conclude this expression of our views without stating with all the emphasis at our command that the immediate settlement of the Indian political problem is vital to India, Great Britain and the world.

V

PUNJAB NON-MUSLIMS' MEMORANDUM

According to the census of 1941, the province of the Punjab covers a total area of 138,105 square miles and has a total population of 34,309,861. Out of this the British Punjab covers an area of 99,089 square miles and has a population of 28,418,819 persons. There are three important communities inhabiting the province, *viz.*, the Muslims, the Hindus and the Sikhs. Communal percentages in population work out as follows :

	<i>Muslims</i>	<i>Hindus and Others</i>	<i>Sikhs</i>	<i>Christians</i>
All Punjab	53·22	29·11	14·92	...
British Punjab	57·06	27·82	13·22	1·7

The following statement shows the communal percentages in population since 1881 in the Punjab (inclusive of States) and the British Punjab :

(1) ALL PUNJAB							
Community	1881	1891	1901	1911	1921	1931	1941
Muslims	47'58	47'39	49'61	51'07	51'05	52'40	53'22
Hindus	43'84	44'08	41'27	35'79	35'06	30'38	29'11
Sikhs	8'22	8'09	8'63	12'11	12'38	14'29	14'92
(2) BRITISH PUNJAB							
Muslims	52'75	51'83	52'31	55'29	55'27	56'48	57'06
Hindus	40'33	39'00	34'71	32'20	31'84	27'24	27'82
Sikhs	8'22	8'09	8'63	10'85	11'09	13'00	13'22

It is evident from the tables given above that till 1911 the Punjab was not a Muslim-majority province and even now the margin, if the census enumerations of 1941 be taken as correct, is so small that it cannot be claimed as a Muslim province. The census figures for 1911, 1921, 1931 and 1941 are, however, admittedly inaccurate and unreliable.

The population of the Punjab in the first decade of the twentieth century showed a decline from 24,367,113 in 1901 to 23,791,841 in 1911. But during the decade the percentage of the Muslim population showed a rise from 49'61 per cent to 51'07 per cent. The Superintendent of Census Operations of 1911, at page 97 of his Report, gives an explanation of this rise. He says: "The members of the depressed classes, *i.e.*, Chuhra, Sansis, etc., who did not profess to belong to Islam or Christianity were returned as Hindus in the three previous censuses and similar instructions were issued in the recent census. Nevertheless, a number of Sansis and Chuhra residing in Mohammedan villages were returned as Mohammedans and some Chuhra living in Sikh villages were returned as Sikhs." This, according to the Census Superintendent, explains the fall in the case of the Hindus and rise in the case of Muslims.

The census of 1921 was conducted by Mr. Middleton, I.C.S., and Mr. S. M. Jacob, I.C.S. At page 104 of the Report, we find: "In the Punjab, I have found gross errors in price statistics, in the revenue records and even in the recorded areas of crops which are reputed to be as accurate as any in the world, and in the estimates of the yields on which the final outturn of the crops is computed. Vital statistics, too, are known to be very unreliable." Again, at page 106 of the Report, the Census Superintendent observes: "Evidence as to the unreliability of the census of the

number of inhabitants per building, carried out in Lahore, Amritsar, Rawalpindi and Jullundur, though, of course, the accuracy to be expected is much less than that of the census proper, is afforded by the statistics themselves. Thus, by adding up the number of buildings with the specified number of inhabitants per building it is found that, in the case of Wards 1—6 of the Lahore City, there must be no less than 1,17,140 inhabitants as against 92,533 enumerated in the census. The difference of over 24,000 cannot be accounted for except by the inaccuracy of one or other of the enumerations. In the case of Ward 3 of Rawalpindi the discrepancy is even more marked."

The census operations of 1931 for the Punjab were conducted by Khan Sahib Ahmed Hassan Khan, P.C.S., as Superintendent. At page 79 of his Report, he writes: "Another factor came into play on the present occasion and deprived the census operations of the calm atmosphere which is essential to the obtaining of correct figures. The new constitution for India was to be framed at no distant date and value attached to the communal figures brought out by the census was greater than ever. Consequently, the atmosphere was surcharged with propaganda carried on through various agencies and attempts were made in some places by enumerators to swell the figures of their communities by means of bogus entries or to curtail the strength of rival communities by scoring out persons who were actually present on the final census night. There were also some cases in which the residents of houses returned bogus names with the same motives. This mostly took place in certain urban areas, the worst offender in this respect being Amritsar. In Lahore several cases came to notice where whole families were left unenumerated." At page 81 of the Report, the Census Superintendent adds: "The number of the recorded houses during the preliminary enumeration was 8,167,739 and on the final census night 5,946,652 houses were found occupied."

The census of 1941 recorded an unusual increase of 58 lacs in the total population of the Punjab. The variation percentage during the last decade was the highest since 1901 as shown below:

Period
1900—11

Variation Percentage
1·8

<i>Period</i>	<i>Variation Percentage</i>
1911—21	5·6
1921—31	13·9
1931—41	20·5

Mr. M. W. M. Yeatts, C.I.E., I.C.S., Census Commissioner for India, 1941, at page 9 of his Report, says: "1940-41 saw also political influences on the census, but in the opposite direction; since, whereas the difficulty in 1931 had been to defeat a boycott, the difficulty in 1941 was to defeat an excess of zeal." According to the census of 1941, India added another fifty millions to its population in ten years between 1931 and 1941. With regard to this increase, Mr. Yeatts in his Report says:

"The increase is by no means uniform. Although a greater figure than for the previous decade is practically universal, rates are noticeably larger in the north than in the south and we have two distinct peaks in the extreme west and north-west and in the east. In fact, we have in the Punjab and in Eastern Bengal, two swarming areas." At page 30 of the Report, Mr. Yeatts again observes, "It was inevitable that sooner or later an exaggerated and pathological interest would come to attend on the production of the figures which a communal segregation expresses and when you have a pathological interest in the production of figures, you have introduced into them a weakness which will remove all value unless suitable remedy is applied. If the circumstances of today continue and if a community record is desired and if the general attitude of the citizens has not developed towards a deeper understanding of their own role, then it is doubtful whether ten years hence it will be possible, at any rate in certain areas, to take a community record at all."

From the above quotations, it is evident that the census figures are not reliable as there was bogus inflation in certain cases and suppression in others. It will not be out of place to point out that both in the year 1921 and 1931, the Hindus and the Sikhs of the Punjab, under the influence of the civil disobedience movement of the Congress, more or less, boycotted the census operations and both these operations were conducted by a predominantly large number of Muslim enumerators.

In the light of what has been said above, implicit reliance

cannot be placed on the census figures of 1911, 1921, 1931 or 1941. If a correct and accurate census is taken, it will show that the disparity between the Muslim and non-Muslim population in the Punjab will, if at all, be very little.

From the administrative point of view, the Punjab is divided into 29 districts out of which, according to the census of 1941 (inaccurate as they are), 16 districts in the north-west have a majority of Muslims, while 12 districts in the south-east have a majority of non-Muslims. The district of Gurdaspur has, in some of its tehsils, a majority of Muslims, while in others it has a majority of non-Muslims. Out of a total of 1,152,511, it has a Muslim majority of only 26,000 odd. The figures for the year 1921, however, showed that the district had a majority of non-Muslims.

The table given below shows the district-wise communal percentages for the three major communities in the Punjab in 1941 :

<i>Name of the District</i>	MUSLIM-MAJORITY DISTRICTS		
	<i>Muslims</i>	<i>Hindus</i>	<i>Sikhs</i>
Attock	90·4	6·3	3·0
Jhelum	89·4	6·5	3·9
Dera Gazi Khan	88·1	11·6	·2
Muzaffargarh	86·4	12·7	·8
Mianwali	86·2	12·4	1·3
Gujrat	85·6	7·6	6·3
Shahpur	83·7	10·2	4·8
Jhang	80·6	15·8	1·5
Rawalpindi	80·0	10·5	8·2
Multan	78·0	16·9	4·1
Gujranwla	70·5	11·8	10·9
Montgomery	69·1	15·8	13·2
Sheikhupura	63·6	10·4	18·9
Lyallpur	62·8	14·6	18·8
Sialkot	62·1	15·4	11·7
Lahore	60·6	16·8	18·3
HINDU-MAJORITY DISTRICTS			
Kangra	4·8	94·2	·5
Rohtak	17·4	81·6	·2
Simla	18·2	76·4	2·7
Karnal	30·6	66·9	2·0

<i>Name of the District</i>	<i>Muslims</i>	<i>Hindus</i>	<i>Sikhs</i>
Gurgaon	33·6	65·8	·7
Hissar	28·3	64·8	60·
NO SINGLE COMMUNITY MAJORITY DISTRICT			
Ambala	31·7	48·6	18·1
Hoshiarpur	32·5	50·0	16·9
Jullundur	45·2	27·6	26·5
Ludhiana	36·9	21·3	41·7
Ferozepore	45·1	20·3	33·8
Amritsar	46·5	15·4	36·1
Gurdaspur	51·1	25·4	19·2

From the tables given above, it is evident that while in 16 districts of the north-west, the Muslims are in a majority, in 6 districts of the south-east, Hindus are in a majority, and in the remaining 7 districts of the Central Punjab, no single community has a definite majority. Further, it is evident that out of the 16 Muslim-majority districts there are only 10 such districts where the Muslim population is 75 per cent or more. Similarly, out of 6 Hindu-majority districts, there are only 3 where the Hindus are 75 per cent or more of population. If the 16 Muslim-majority-districts in the north-west and the 12 non-Muslim-majority districts in the centre and the south-east were grouped separately, they will show the following population percentages:

N.-W. REGION (16 DISTRICTS)

<i>Muslims</i>	<i>Sikhs and Hindus</i>	<i>Others</i>
12,303,669	1,683,855	2,823,276
73·3%	10%	16·7%
Total ...		16,870,900

S.-E. REGION (12 DISTRICTS)

3,853,593	2,073,546	5,620,800
32·6%	17·5%	49·9%
Total ...		11,547,919

There can be no justification on any reasonable theory of self-determination and nationhood that 4,507,131 non-Muslim inhabitants of the 16 districts with a Muslim majority should be forced into Pakistan without being given any opportunity for expressing their wishes.

How are their wishes to be ascertained? This raises three questions:

- (1) the unit for the plebiscite,
- (2) who would take part in it,
- (3) whether the decision should be by a bare majority or by a definite percentage of the recorded votes.

It is clear that the whole province cannot be taken as a unit as that would mean that the fate of the non-Muslim area comprising 12 districts with a non-Muslim population of over 7 1/2 millions would be determined not by its own votes, as it should be, but the combined votes of the Muslim and non-Muslim areas. The plebiscite will, therefore, have to be taken separately for each of the two areas and the whole adult population in the area concerned should be entitled to vote and there should be a clear majority of sixty-six per cent in favour of separation.

It is unnecessary to discuss the difficulties of holding a plebiscite under the present conditions or the problems which will arise by the creation of frontier minorities. As regards the latter the following extract from paragraph 173 of the Sapru Committee's Report may be profitably quoted :

"The Hindus, who form about seventy-five per cent of the population of India, are to be split into a national minority and to be placed under the sovereignty of the Muslim state of Pakistan, the majority remaining in Hindustan. The frontiers of the two states will lie in such a way that there will be a large Hindu national minority in East Punjab and in West Bengal, both bordering on the state of Hindustan. The history of Europe warns us of the grave problems created by national frontier minorities; while, on the one hand, there will be an irresistible desire on the part of Hindus living in East Punjab and West Bengal to rejoin their nationals in Hindustan, there will be an equal urge on the part of the Government of Pakistan to suppress this irredentism in ways so familiar, by transfers of population from the borders to the interior and by stern repression of recalcitrant minorities and their national movements against the State by employing all the instruments of coercion which modern state-craft has brought to such perfection. Seeds will thus have been sown of the two nations warring within the bosom of each of the two states of Pakistan and Hindustan."

What will be the position of the Punjab States? These

fall into three categories, viz., the Hindu States, the Muslim States and the Sikh States. Chamba, Mandi, Suket, Sirmur, Bilaspur and the Simla Hill States fall under the first category; Bahawalpur and Malerkotla States fall under the second category and Patiala, Kapurthala, Nabha, Jind and Faridkot under the third. With the solitary exception of Bahawalpur State, all the remaining States are contiguous to and surrounded by the non-Muslim-majority districts and are predominantly non-Muslim in population. They have a total area of 21,992 square miles with a total population of 4,909,353 inhabitants distributed community-wise as given below:

<i>Muslims</i>	<i>Hindus</i>	<i>Sikhs</i>
954,500	2,615,047	1,312,532

If to the total population of the 12 non-Muslim-majority districts in the south-east and centre of the Punjab is added the population of the above-mentioned States in that area, the communal percentages of this area will work out as follows:

<i>Muslims</i>	<i>Hindus</i>	<i>Sikhs</i>
29.22	50.04	20.58

It is thus evident that both on the ground of contiguity and the distribution of the population by religion, these States would naturally gravitate towards the non-Muslim areas.

The next point to consider is what will be the effect of the inclusion in Pakistan of

(a) the whole of the Punjab or

(b) a major portion of it

on the Hindu and Sikh Indian States within its boundaries and on its borders? What will be the relation of Pakistan to the Sikh States of Patiala, Nabha, Jind, Faridkot and Kapurthala and to the Hindu States of Chamba, Sirmur, Mandi and the Simla Hill States? What will be its relation to Kashmir? Will these States be forced to maintain no armies of their own and to depend for their protection and foreign policy on Pakistan, or will they be free to make such alliances as they please and such arrangements for their defence as they consider best? How will such a *laissez faire* policy affect the defence of India? As Pakistan is likely to affect virtually the interests of these Indian States, is it not

essential that they, too, should be brought into consultation and informed how the inclusion of the Punjab, as a whole, or a major part thereof, will affect their fortunes. A glance at the map will show that if the whole of the Punjab is included in Pakistan, the Sikh States will be enclaves within the Pakistan state and will be completely dominated by it.

Even if the Punjab is divided on the basis of Muslim and non-Muslim majority districts, the acceptance of the principle that the carving out of a separate sovereign state is justified on grounds of religion of its inhabitants, will at once affect the bordering state of Kashmir where the Muslim population is seventy-six per cent and the ruler is a Hindu. There will be an immediate demand that the same principle of self-determination as had been applied to the Punjab districts should be applied to Kashmir. The demand to turn Kashmir into a Muslim zone will lead to counter-demands against those States in which the population is predominantly Hindu and the ruler is a Muslim, as for example, Hyderabad and Bhopal.

It is thus clear that the question of the partition of the Punjab cannot be considered without reference to its effect not only on the future of the Indian States within the Punjab but also on the State of Jammu and Kashmir and others.

By far the most important question is that of defence in which the Punjab is deeply interested because of its notable contribution to the combatant ranks of the Indian Army. The Sikhs, the Jats, the Dogras, the Rajputs and the Punjabi Mussulmans (in which are included Muslim Rajputs and Muslim Jais), all these have supplied a considerable number of fighting men to the Indian Army. The statement given below gives the province-wise recruitment as it stood in 1938 and is very telling :

Punjab	...	83,460
Gurkhas	...	18,601
U.P.	...	11,969
N.-W.F.P.	...	7,604
Rajputana and Central India	...	6,208
Bombay	...	4,986
Madras	...	4,545
Delhi	...	621

Hyderabad (Deccan)	...	309
Bihar and Orissa	...	215
Baluchistan	...	56
C P.	...	40
Bengal	...	10
Assam	...	3
Sind	...	1

During the last war, the Punjab maintained its distinguished military record and contributed largely to the combatant ranks of the Army. How will the inclusion of the whole of the Punjab or its major portion in Pakistan affect the future recruitment of Sikhs, Dogras, Hindu Jats and Hindu Rajputs? What guarantee is there that the sovereign state of Pakistan will continue to recruit from these classes? Their exclusion from the Army will affect not only their livelihood and martial traditions but may, by a drastic change in the composition of the Army, affect the defence of the whole country. A sovereign Muslim state with a Muslim army and with frontiers extending either to the gates of Delhi or to the east of Lahore, according as the whole or a portion forms part of Pakistan, may not only endanger the safety of Hindustan but of the whole country by forming hostile alliances with other powers. Defence and foreign policy must be undivided and must remain under a strong centre. Moreover, with the revolution in warfare that science has brought about, it may become essential so to disperse potential war industries as to give them the greatest protection from ærial attack. The location of essential war industries must depend on strategic considerations and must not be thwarted by fantastic claims of sovereignty. Even such a sympathetic and friendly student of the Pakistan demands as Sir Reginald Coupland has been constrained to say "that the greatest difficulty of Pakistan and its gravest risk lies in defence."

It is unnecessary to refer to the Sikh case as they have made their position abundantly clear. They will not remain in Pakistan in any circumstances and if a division of the Punjab takes place, their demand is for a separate Sikh state. Once partition begins no one knows where it will end. There are already schemes for a Jat state.

It is clear that the inclusion of the whole of the Punjab

in Pakistan cannot be justified on any theory of self-determination. Its divisions on the basis of contiguous districts with Muslim and non-Muslim majorities will not satisfy either the League or the Sikhs whom it will divide into two parts, or the Hindus and will raise, in a crucial form, the question of the future of the Kashmir State and, by reaction, of those States in which there are Muslim rulers over predominantly Hindu population.

The real question to be decided is, whether there is to be one or more centres and not whether the boundaries of the present British provinces including the Punjab are capable of a better re-alignment.

For the reasons stated above, there is no justification for the creation of Pakistan by the inclusion therein of either the whole, or a part, of the Punjab.

The position of the Punjab non-Muslims may be summed up as follows :

(1) The non-Muslims of the Punjab do not accept the claim of the Muslim League that the Muslims of India constitute a separate nation and as such are entitled to a separate homeland. Islam claims to be a world-wide religion; how then can it be circumscribed within the bounds of nationality? Arabs, Turks and Persians are all Muslims, yet not one of these nations has ever claimed that by reason of their common religion, they belong to one nation. How comes it that in India alone, the Muslims as such claim to be a separate nation? (2) India is a geographical unit, its essential culture is one; its people are, ethnologically, in the main one and possess characteristics which easily distinguish them from others; its main languages are essentially similar; it is one economic entity; and there is no real ground for the division of this basic unity into two. (3) The partition of India into Hindustan and Pakistan as N.-W.F.P. and the whole of the Punjab in the north-west, and Assam and Bengal in the north-east, will not solve the communal problem, as there will still be left no less than 47,903,576 non Muslims in Pakistan and 22,203,656 Muslims in Hindustan. (4) The Punjab non-Muslims believe that the present-day communal tension and bitterness in the country is very largely the direct outcome of the policy adopted by the British Government in the

introduction of separate communal electorates and counterpoises. The only solution of this is the adoption of joint electorates with adult franchise throughout India. (5) The demand for Pakistan is the result of the introduction of separate electorates and the policy of communal concessions which has introduced a spirit of grabbing for the loaves and fishes of office. (6) The non-Muslims of the Punjab are opposed entirely to the underlying principle of the Communal Award. It is essentially vicious in principle because it establishes communal majorities and minorities on a religious basis and prevents the creation and development of political parties based on economic and democratic ideals. (7) The non-Muslims of the Punjab do not concede that the Muslims as such have any right of self-determination apart from the non-Muslims residing in the same areas. (8) While insisting that it is the duty of the State to protect the religious, cultural, linguistic, educational and economic interests of minorities—and this should be provided in the constitution—the non-Muslims are not willing that the essential principles of democracy should be sacrificed by giving political concessions to any community. (9) The creation of an independent sovereign state in the north-west having an army of its own will create serious complications regarding defence and will be a source of constant bitterness between the two neighbouring states. (10) If the principle of partition is accepted, the Land of the Five Rivers shall have to be split into smaller units, which will be economically inefficient and geographically unnatural. The military strength of the Punjabis will lose itself in communal jealousy and strife instead of giving a united front to an aggressor and the division of the Punjab will result in the military weakness of India.

VI

MUSLIM LEAGUE'S MEMORANDUM

Principles to be agreed to as our offer :

(1) The six Muslim provinces (Punjab, N.-W.F.P., Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects

and matters except foreign affairs, defence, and communication necessary for defence, which may be dealt with by the constitution-making bodies of the two groups of provinces—Muslim provinces (hereinafter named Pakistan group) and Hindu provinces—sitting together.

(2) There shall be a separate constitution-making body for the six Muslim provinces named above which will frame constitutions for the group and the provinces in the group and will determine the list of subjects that shall be provincial and central (or the Pakistan Federation) with residuary sovereign powers vesting in the provinces.

(3) The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each province of the Pakistan group.

(4) After the constitution of the Pakistan Federal Government and the provinces are finally framed by the constitution-making body, it will be open to any province of the group to decide to opt out of its group, provided the wishes of the people of that province are ascertained by a referendum to opt out or not.

(5) It must be open to discussion in the joint constitution-making body as to whether the Union will have a legislature or not. The method of providing the Union with finance should also be left for the decision of the joint meeting of the two constitution-making bodies but in no event shall it be by means of taxation.

(6) There should be parity of representation between the two groups of provinces in the Union Executive and the Legislature if any.

(7) No major point in the Union constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body unless the majority of the members of the constitution-making body of the Hindu provinces and the majority of the members of the constitution-making body of the Pakistan group present and voting are separately in its favour.

(8) No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature except by a majority of three-fourths.

(9) In group and provincial constitutions fundamental

rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

(10) The constitution of the Union shall contain a provision whereby any province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of constitution and will have the liberty to secede from the Union at any time after an initial period of ten years.

These are the principles of our offer for a peaceful and amicable settlement and this offer stands in its entirety and all matters mentioned herein are interdependent.

VII

CONGRESS VIEW-POINT

Points suggested on behalf of the Congress as a basis for agreement :

(1) The constituent assembly to be formed as follows :

(i) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote).

The number so elected should be one-fifth of the numbers of members of the Assembly and they may be members of the Assembly or others.

(ii) Representatives from the States on the basis of their population in proportion to the representation from British India. How these representatives are to be chosen is to be considered later.

(2) The constituent assembly shall draw up a constitution for the Federal Union. This shall consist of an All-India Federal Government and Legislative dealing with foreign affairs, defence, communications, fundamental rights, currency, customs, and planning as well as such other subjects as on closer scrutiny may be found to be intimately allied to them.

The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the power to take remedial action in cases of break-down of the constitution and in grave public emergencies.

(3) All the remaining powers shall vest in the provinces or

units.

(4) Groups of provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

(5) After the constituent assembly has decided the constitution for the All-India Federal Union, as laid down in paragraph (2) above, the representatives of the provinces may form groups to decide the provincial constitutions for their group, and if they wish, a group constitution.

(6) No major point in the all-India federal constitution, which affects the communal issue, shall be deemed to be passed by the constituent assembly unless a majority of the members of the community or communities concerned present in assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue, the speaker will decide, or, if so desired, it may be referred to the Federal Court.

(7) In the event of a dispute arising in the process of constitution-making the specific issue shall be referred to arbitration.

(8) The constitution should provide machinery for its revision at any time subject to such checks as may be devised. If so desired, it may be specifically stated that this whole constitution may be reconsidered after ten years.

Note by the Congress on the principles to be agreed upon as suggested on behalf of the Muslim League, dated May 12, 1946.

The approach of the Muslim League is so different from that of the Congress in regard to these matters that it is a little difficult to deal with each point separately without reference to the rest. The picture as envisaged by the Congress is briefly given in a separate note. From consideration of this note and the Muslim League's proposals the difficulties and the possible agreement will become obvious.

The Muslim League's proposals are dealt with below briefly:

(1) We suggest that the proper procedure is for one constitution-making body or constituent assembly to meet for the whole of India and later for groups to be formed if so desired by the provinces concerned. The matter should

be left to the provinces and if they wish to function as a group they are at liberty to do so and to frame their own constitution for the purpose,

In any event Assam has obviously no place in the group mentioned, and the North-West Frontier Province, as the elections show, is not in favour of this proposal.

(2) We have agreed to residuary powers, apart from the central subjects, vesting in the provinces. They can make such use of them as they like and as has been stated above, function as a group. What the ultimate nature of such a group may be cannot be determined at this stage and should be left to the representatives of the provinces concerned.

(3) We have suggested that the most suitable method of election would be by single transferable vote. This would give proper representation to the various communities in proportion to their present representation in the legislatures. If the proportion is taken, we have no particular objection, but this would lead to difficulties in all the provinces where there is weightage in favour of certain communities. The principle approved of would necessarily apply to all the provinces.

(4) There is no necessity for opting out of a province from its group as the previous consent of the provinces is necessary for joining the group.

(5) We consider it essential that the Federal Union should have a legislature. We also consider it essential that the Union should have power to raise its own revenue.

(6 and 7) We are entirely opposed to parity of representation as between groups of provinces in the Union Executive or Legislature. We think that no communal issue in Union constitution shall be passed by the constituent assembly unless a majority of the members of the community or communities concerned present and voting in the constituent assembly are separately in its favour. This is a sufficient and ample safeguard of all minorities. We have suggested something wider and including all communities. This has been proposed elsewhere. This may give rise to difficulties in regard to small communities, but all such difficulties can be got over by reference to arbitration. We are prepared to consider the method of giving effect to this principle so as to make it more feasible.

(8) This proposal is so sweeping in its nature that no government or legislature can function at all. Once we have safeguarded major communal issues other matters, whether controversial or not, require no safeguard. This will simply mean safeguarding vested interests of all kinds and preventing progress, or indeed any movement in any direction. We, therefore, entirely disapprove of it.

(9) We are entirely agreeable to the inclusion of fundamental rights and safeguards concerning religion, culture and like matters in the constitution. We suggest that the proper place for this is the all-India federal constitution. There should be uniformity in regard to these fundamental rights all over India.

(10) The constitution of the Union will inevitably contain provisions for its revision. It may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid reference to secession as we do not wish to encourage this idea.

APPENDIX D

I

TRIPARTITE CORRESPONDENCE

Letter from Lord P. Thirk-¹Lawrence to Maulana Abul Kalam Azad and Mr. Jinnah, dated 27th April, 1946 :

The Cabinet Mission and His Excellency the Viceroy have carefully reviewed the opinions expressed to them by the various representatives they have interviewed and have come to the conclusion that they should make one further attempt to obtain agreement between the Muslim League and the Congress. They realise that it would be useless to ask the two parties to meet unless they were able to place before them a basis of negotiation which could lead to such an agreement.

I am, therefore, asked to invite the Muslim League to send four negotiators to meet the Cabinet Mission and the Viceroy, together with a similar number from the Congress Working Committee with a view to discussing the possibility of agreement upon a scheme based upon the following fundamental principles :

The future constitutional structure of British India to be as follows :

A Union Government dealing with the following subjects
Foreign Affairs, Defence and Communications.

There will be two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, dealing with all other subjects except those which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

I would point out that we do not think it either necessary or desirable further to elaborate these principles as all other

matters could be dealt with in the course of the negotiations.

If the Muslim League and the Congress are prepared to enter into negotiations on this basis, you will perhaps be so good as to let me know the names of the four people appointed to negotiate on their behalf. As soon as I receive these I will let you know the locus of the negotiations which will in all probability be in Simla, where the climate will be more temperate.

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 28th April, 1946 :

I thank you for your letter of April 27. I have consulted my colleagues of the Congress Working Committee in regard to the suggestion made by you, and they desire me to inform you that they have always been willing to discuss fully any matters concerning the future of India with representatives of the Muslim League or any other organisation. I must point out, however, that the "fundamental principles" which you mention require amplification and elucidation in order to avoid any misunderstanding.

As you are aware, we have envisaged a federal union of autonomous units. Such a federal union must of necessity deal with certain essential subjects of which defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right. Without these functions and powers it would be weak and disjointed and defence and progress in general would suffer.

Among the common subjects in addition to foreign affairs, defence and communications, there should be currency, customs, tariffs and such other subjects as may be found on closer scrutiny to be intimately allied to them.

Your reference to two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, is not clear. The only predominantly Muslim provinces are the North-West Frontier Province, Sind and Baluchistan. Bengal and Punjab have a bare Muslim majority. We consider it wrong to form groups of provinces under the Federal Union and more so on religious or communal basis. It also appears that you leave no choice to a province in the matter of joining or not joining a group. It

is by no means certain that a province as constituted would like to join any particular group. In any event, it would be wholly wrong to compel a province to function against its own wish. While we agree to the provinces having full powers in regard to all remaining subjects as well as the residuary powers, we have also stated that it should be open to any province to exercise its option to have more common subjects with the Federal Union. Any sub-federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.

Regarding the Indian States we should like to make it clear that we consider it essential that they should be parts of the Federal Union in regard to the common subjects mentioned above; the manner of their coming into the Union can be considered fully later.

You have referred to certain "fundamental principles" but there is no mention of the basic issue before us, that is, Indian independence and the consequent withdrawal of the British army from India. It is only on this basis that we can discuss the future of India, or any interim arrangement.

While we are ready to carry on negotiations with any party as to the future of India, we must state our convictions that reality will be absent from any negotiations whilst an outside ruling Power still exists in India.

I have asked three of my colleagues of the Congress Working Committee, namely, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Khan Abdul Gnaffar Khan to accompany me in any negotiations that may take place as a result of your suggestion.

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 29th April, 1946 :

I thank you for your letter of the 27th April which I placed before my Working Committee yesterday morning.

My colleagues and I fully appreciated the further attempt that the Cabinet Mission and His Excellency the Viceroy are making to bring about an agreement between the Muslim League and the Congress by proposing a meeting of the representatives of the two organisations for the purpose of negotiating an agreement. They, however, desire me to invite your attention to the position taken up by the Muslim League

since the passing of the Lahore Resolution in 1940 and, thereafter, successively endorsed by the All-India Muslim League session and again by the Convention of the Muslim League Legislators, as recently as the 9th of April, 1946, as per copy enclosed.

The Working Committee desire to point out that many important matters, both of principle and detail, in your brief letter, require elucidation and clarification, which, in their opinion, can be achieved at the meeting proposed by you.

Therefore, without prejudice or commitment, the Working Committee in their anxiety to assist in finding an agreed solution of the Indian constitutional problem, have authorised me to nominate three representatives on behalf of the Muslim League to participate in the negotiations.

The following are the four names : (1) Mr. M. A. Jinnah, (2) Nawab Mohammed Ismail Khan, (3) Nawabzada Liaquat Ali Khan, and (4) Sardar Abdur Rab Nishtar.

(A copy of the resolution passed by the Subjects Committee to be placed before the All-India Muslim League Legislators' Convention on April 9, 1946, is enclosed with the letter.)

Letter from Lord Pethick-Lawrence to the President of the Congress, dated 29th April, 1946 :

Thank you for your letter of 28th April. The Cabinet Delegation are very glad to know that the Congress agree to enter the joint discussion with representatives of the Muslim League and ourselves.

We have taken note of the views you have expressed on behalf of the Working Committee of the Congress. These appear to deal with matters which can be discussed at the conference, for we have never contemplated that acceptance by Congress and the Muslim League of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it.

Assuming that the Muslim League, whose reply we expect to receive in the course of the afternoon, also accept our invitation, we propose that these discussions should be held at

Simla, and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Congress representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 29th April, 1946 :

Thank you for your letter of the 29th April. The Cabinet Delegation are very glad to know that the Muslim League agree to enter the joint discussion with the representatives of the Congress and ourselves. I am glad to say I have received a letter from the President of the Congress to say that they are also willing to participate in the proposed discussion and have nominated Maulana Azad, Pandit Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan as their representatives.

We have taken note of the resolution of the Muslim League, to which you draw our attention. We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

We propose that these discussions should be held at Simla and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Muslim League representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2nd.

AGENDA

1. Groups of Provinces :
 - (A) Composition.
 - (B) Method of deciding group subjects.
 - (C) Character of group organisation.
2. Union :
 - (A) Union subjects.
 - (B) Character of Union constitution.
3. Constitution-making machinery :
 - (A) Composition.
 - (B) Functions :

- (i) In respect of Union ;
- (ii) In respect of groups ;
- (iii) In respect of provinces.

Letter from the President of Congress to Lord Pethick-Lawrence, dated 6th May, 1946 :

My colleagues and I followed with care the proceedings of the conference yesterday and tried to understand what our conversations were leading up to. I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some of the assumptions underlying them. While we would like to associate ourselves with every effort to explore ways and means of finding a basis for agreement, we must not deceive ourselves, the Cabinet Mission or the representatives of Muslim League into the belief that the way the conference has so far proceeded furnishes hope of success. Our general approach to the questions before us was stated briefly in my letter to you of April 28. We find that this approach has been largely ignored and a contrary method has been followed. We realise that some assumptions have to be made in the early stages as otherwise there can be no progress. But assumptions which ignore or run contrary to fundamental issues are likely to lead to misunderstandings during the later stages.

In my letter of April 28, I stated that the basic issue before us was that of Indian independence and the consequent withdrawal of the British army from India, for there can be no independence so long as there is a foreign army on Indian soil. We stand for the independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fully discussed and decided by the constituent assembly.

At the conference yesterday I referred to this again and we were glad to find that you and your colleagues, as well as the other members of the conference, accepted Indian independence as the basis of our talks. It was stated by you that the constituent assembly would finally decide about the nexus or other relationship that might be established between a free India and England. While this is perfectly true, it does not affect the position now, and that is the acceptance of Indian independence now.

If that is so, then certain consequences inevitably follow.

We felt yesterday that there was no appreciation of these consequences. A constituent assembly is not going to decide the question of independence ; that question must be and, we take it, has been decided now. That assembly will represent will of the free Indian nation and give effect to it. It is not going to be bound by any previous arrangements. It has to be preceded by a provisional government which must function, as far as possible, as a government of free India, and which should undertake to make all arrangements for the transitional period.

The method of grouping has not so far been discussed by us but still our talks seemed to presume all this. I should like to make it very clear that we are entirely opposed to any executive or legislative machinery for a group of provinces or units of the federation. That will mean a sub-federation, if not something more, and we have already told you that we do not accept this. It would result in creating three layers of executive and legislative bodies, an arrangement which will be cumbrous, static and disjointed, leading to continuous friction. We are not aware of any such arrangement in any country.

We are emphatically of opinion that it is not open to the conference to entertain any suggestions for a division of India. If this is to come, it should come through the constituent assembly, free from any influence of the present Governing Power.

Another point we wish to make clear is that we do not accept the proposal for parity as between groups in regard to the executive or legislature. We realise that everything possible should be done to remove fears and suspicions from the mind of every group and community. But the way to do this is not by unreal methods which go against the basic principles of democracy on which we hope to build up our constitution.

Letter from Lord Pethick-Lawrence to the Presidents of the Muslim League and the Congress, dated 8th May, 1946 :

My colleagues and I have been thinking over the best method of laying before the conference what in our judgment seems the most likely basis of agreement as shown by the deliberations so far.

We have come to the conclusion that it will be for the

convenience of the parties if we commit this to writing and send them confidential copies before the conference meets again.

We hope to be in a position to let you have this in the course of the morning. But as this will give you too short a time to study it adequately before the proposed resumption of the conference at three o'clock this afternoon, I feel sure that you will agree that the meeting be postponed until the same hour (three o'clock) tomorrow afternoon, Thursday, 9th May, and I hope that you will concur in this change of time which we are convinced is in the interests of all parties.

Letter from the Private Secretary to Lord Pethick-Lawrence to the Presidents of the Congress and the Muslim League, dated 8th May, 1946 :

With reference to the Secretary of State's letter to you this morning, the Cabinet Delegation wish me to send to you the enclosed document which is the paper which the Secretary of State referred. The Delegation propose that this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m. if that is agreeable to the Congress-Muslim League delegates.

Enclosure with letter of 8th May. Suggested points for agreement between the representatives of Congress and the Muslim League :

1. There shall be an all-India Union Government and legislature dealing with foreign affairs, defence, communications, fundamental rights and having the necessary powers to obtain for itself the finances required for these subjects.
2. All the remaining powers shall vest in provinces.
3. Groups of provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.
4. The groups may set up their own executives and legislatures.
5. The legislature of the Union shall be composed of equal proportions from the Muslim-majority provinces and from the Hindu-majority provinces, whether or not these or any of them have formed themselves into groups ; together with representatives of the States.
6. The Government of the Union shall be constituted in the same proportion as the legislature.

7. The constitution of the Union and the groups (if any) shall contain a provision whereby any province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of ten years and ten-yearly intervals thereafter.

For the purpose of such reconsideration, a body shall be constituted on the same basis as the original constituent assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided upon.

8. The constitution-making machinery to arrive at a constitution on the above basis shall be as follows :

A. Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that Assembly on the basis of one-tenth of their numbers.

B. Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India.

C. The constituent assembly so formed shall meet at the earliest date possible in New Delhi.

D. After its preliminary meeting at which the general order of business will be settled, it will divide into three sections : one section representing the Hindu-majority provinces, one section representing the Muslim-majority provinces and one representing the States.

E. The first two sections will then meet separately to decide the provincial constitutions for their groups and, if they wish, a group constitution.

F. When these have been settled, it will be open to any province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the constitution for the Union on the lines agreed in paragraphs 1—7 above.

H. No major point in the Union constitution which affects the communal issue shall be deemed to be passed by the assembly unless a majority of both the two major communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions dilated in paragraph 8 above.

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 8th May, 1946 :

I have now received the letter of your Private Secretary, dated 8th May, 1946, and the enclosed document to which you had referred in your earlier letter of 8th May, 1946. It is proposed by you that this "paper" be discussed at the next meeting of the conference to be held on Thursday afternoon at 3 p.m. if this is agreeable to the Muslim League delegation.

Your proposal embodied in your letter of 27th April runs as follows :

"A Union Government dealing with the following subjects : foreign affairs, defence and communications. There will be two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces dealing with all other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all residuary sovereign rights."

This matter was to be discussed at Simla and we agreed to attend the conference on Sunday, 5th May, 1946, on the terms of my letter, dated 28th April, 1946.

You were good enough to explain your formula and then after hours of discussion on the 5th and 6th of May, the Congress finally and definitely turned down the proposed Union confined only to three subjects, even with power to levy contribution for financing the Union.

Next your formula clearly envisaged an agreement precedent between the Congress and the Muslim League with regard to the grouping of Muslim and Hindu provinces and the formation of two federations of the grouped provinces and it followed that there must be two constitution-making machineries. It was on that basis that some kind of Union was suggested in your formula confined only to three subjects and our approval was sought in order to put in this skeleton blood and flesh. This proposal was also categorically turned down by the Congress and the meeting had to be adjourned for the Mission to consider the matter further as to what steps they may take in the matter.

And now the new enclosed document has been sent to us with a view that "this paper should be discussed at the

next meeting to be held on Thursday afternoon at 3 p.m. The heading of the paper is : "Suggested points for agreement between the representatives of Congress and the Muslim League." By whom are they suggested, it is not made clear.

We are of the opinion that the new suggested points for agreement are a fundamental departure from the original formula embodied in your letter of 27th April, which was rejected by the Congress.

To mention some of the important points, we are now asked to agree that there should be one all-India Union Government in terms of paragraph 7 of this paper, which adds one more subject to be vested in the Union Government, i.e., "fundamental rights" and it is not made clear whether the Union Government and Legislature will have power or not to obtain for itself the finances by means of taxation.

In the new "suggestions" the question of grouping of provinces is left exactly as the Congress spokesman desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.

That there should be a single constitution-making body, we can never agree to : nor can we agree to the method of formation of constitution-making machineries suggested in the paper.

There are many other objectionable features contained in the suggestions which we have not dealt with as we are only dealing with the main points arising out of this paper.

In these circumstances, we think, no useful purpose will be served to discuss this paper, as it is a complete departure from your original formula, unless after what we have said above, you still desire us to discuss it in the conference itself tomorrow.

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 9th May, 1946 :

I have to acknowledge your letter of yesterday which I have shown to my colleagues. In it you raise a number of issues to which I proposes to reply in order.

1. You claim that Congress "finally and definitely turned down the proposed Union confined only to three subjects, even with power to levy contribution for financing the

Union". This statement is not in accord with my recollection of what took place in the conference room. It is true that the Congress representatives expressed their view that the limitation was too narrow and argued further that even so limited it necessarily included certain auxiliary matters. Up to a point you recognised that there was some force in the argument because you agreed, as I understood, that some power to obtain the necessary finance must be given. There was no final decision on this matter, (or of course on any other).

2. Next, you claim, if I understand you aright, that our reference to the formation of groups is at variance with the formula in our invitation. I am afraid I cannot accept this view. It is, of course, a slightly amplified form because it specifies the manner in which the provinces can decide as to joining any particular group. This amplified form is put forward by us as a reasonable compromise between the views of the Muslim League and those originally expressed by Congress.

3. You further take exception to the machinery that we suggest should be set up for making the constitution. I would point out to you, however, that you yourself in explaining how your two constitution-making bodies would work agreed on Tuesday last in the conference that they would have to join together in the end to decide the constitution of the Union and you took no exception to their having a preliminary session in common to decide procedure. What we are proposing is, in fact, precisely the same thing expressed in different words. I am, therefore, quite at a loss to understand what you have in mind when you use the words: "This proposal was also categorically turned down by the Congress."

4. In your next succeeding paragraph you ask who it is that makes the suggestions that are contained in the document sent to you. The answer is the Cabinet Mission and His Excellency the Viceroy, who makes them in our endeavour to bridge the gap between the view-points of the Congress and the Muslim League.

5. You next take exception to our departing from the original formula in my invitation. I would remind you that in accepting my original invitation neither the Muslim

League nor the Congress bound itself to accept in full the original formula, and in my reply of April 29th I wrote these words :

"We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it." Indeed this is the only sensible attitude because the object of all our discussions is to explore every conceivable possibility of reaching agreement.

6. Fundamental rights were included by us in our suggestions for addition to the list of Union subjects because it seemed to us that it would be of benefit both to the large communities and to the small minorities for them to be put in and accordingly to be worthy of consideration in our conference. As to finance, it will, of course, be quite open to discuss in the conference the precise significance of the inclusion of this word in its context.

7. Your two following paragraphs are mainly a recapitulation of your previous argument and have been already dealt with above.

From your last paragraph I understand that though you do not consider in the circumstances that any good purpose would be served by the attendance of the Muslim League delegation at the conference fixed for this afternoon you are willing to come if we express a desire that you should do so. My colleagues and I wish to obtain the views of both parties on the document submitted and, therefore, would be glad to see you at the conference.

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 9th May, 1946 :

My colleagues and I have given the most careful consideration to the memorandum sent by you yesterday suggesting various points of agreement. On the 28th April I sent you a letter in which I explained briefly the Congress view-point in regard to certain "fundamental principles" mentioned in your letter of the 27th April. After the first day of the conference on May 6th I wrote to you again to avoid any

possible misunderstanding regarding the issues being discussed in the conference.

I now find from your memorandum that some of your suggestions are entirely opposed to our views and to the views repeatedly declared by the Congress. We are thus placed in a difficult position. It has been and is our desire to explore every avenue for a settlement and a change-over in India by consent and for this purpose we are prepared to go far. But there are obvious limits beyond which we cannot go if we are convinced that this would be injurious to the people of India and to India's progress as a free nation.

In my previous letters I have laid stress on the necessity of having a strong and organic Federal Union. I have also stated that we do not approve of sub-federations or grouping of provinces in the manner suggested, and are wholly opposed to parity in executives or legislatures as between wholly unequal groups. We do not wish to come in the way of provinces or other units co-operating together if they choose but those must be entirely optional.

The proposals you have put forward are meant, we presume, to limit the free discretion of the constituent assembly. We do not see how this can be done. We are at present concerned with one important aspect of a larger problem. Any decision on this aspect taken now might well conflict with the decisions we or the constituent assembly might want to take on other aspects. The only reasonable course appears to us is to have a constituent assembly with perfect freedom to draw up its constitution with certain reservations to protect the rights of minorities. Thus we may agree that any major communal issue must be settled by consent of the parties concerned or where such consent is not obtained by arbitration.

From the proposals you have sent us (8 D, E, F, G) it would appear that two or three separate constitutions might emerge for separate group joined together by a flimsy common superstructure left to the mercy of the three disjointed groups.

There is also compulsion in the early stages for a province to join a particular group whether it wants to or not. Thus why should the Frontier Province, which is clearly a Congress province, be compelled to join any group hostile to the Congress.

We realise that in dealing with human beings as individuals or groups many considerations have to be borne in mind besides logic and reason. But logic and reason cannot be ignored altogether and unreason and injustice are dangerous companions at any time and more especially when we are building for the future of hundreds of millions of human beings.

I shall now deal with some of the points in your memorandum to make some suggestions in regard to them.

No. 1.—We note that you have provided for the Union to have necessary powers to obtain for itself the finance it requires for the subjects it deals with. We think it should be clearly stated that the Federal Union must have power to raise revenue in its own right. Further that currency and customs must in any event be included in the Union subjects, as well as such other subjects as on closer scrutiny may be found to be intimately allied to them. One other subject is an essential and inevitable Union subject and that is planning. Planning can only be done effectively at the centre though the provinces or units will give effect to it in their respective areas.

The Union must also have power to take remedial action in cases of break-down of the constitution and in grave public emergencies.

Nos. 5 and 6.—We are entirely opposed to the proposed parity, both in the Executive and Legislature, as between wholly unequal groups. This is unfair and will lead to trouble. Such a provision contains in itself the seed of conflict and the destruction of free growth. If there is no agreement on this or any similar matter, we are prepared to leave it to arbitration.

No. 7.—We are prepared to accept the suggestion that provision be made for a reconsideration of the constitution after ten years. Indeed the constitution will necessarily provide the machinery for its revision at any time.

The second clause lays down that reconsideration should be done by a body constituted on the same basis as the constituent assembly. This present provision is intended to meet an emergency. We expect that the constitution for India will be based on adult suffrage to express its mind on all grave issues.

No. 8.—(A) We would suggest that the just and proper method of elections fair to all parties is the method of proportional representation by single transferable vote. It might be remembered that the present basis of election for the Provincial Assemblies is strongly weighed in favour of the minorities.

The proportion of one-tenth appears to be too small and will limit the numbers of the constituent assembly too much. Probably the number would not exceed two hundred. In the vitally important tasks the assembly will have to face, it should have larger numbers. We suggest that at least one-fifth of the total membership of the Provincial Assemblies should be elected for the constituent assembly.

(B) This clause is vague and requires elucidation. But for the present we are not going into further details.

(D, E, F, G) I have already referred to these clauses. We think that both the formation of these groups and the procedure suggested are wrong and undesirable. We do not wish to rule out the formation of the groups if the provinces so desire. But this subject must be left open for decision by the constituent assembly. The drafting and setting of the constitution should begin with the Federal Union. This should contain common and uniform provisions for the provinces and other units. The provinces may then add to these.

(H) In the circumstances existing today we are prepared to accept some such clause. In case of disagreement matter should be referred to arbitration.

I have pointed out above some of the obvious defects as we see them in the proposals contained in your memorandum. If these are remedied as suggested by us we might be in a position to recommend their acceptance by the Congress. But as drafted in the memorandum sent to us, I regret that we are unable to accept them.

On the whole, therefore, if the suggestions are intended to have a binding effect with all the will in the world to have an agreement with the League, we must repudiate most of them. Let us not run into any evil greater than the one all of us three parties should seek to avoid.

If an agreement honourable to both the parties and favourable to the growth of free and united India cannot be

achieved we would suggest that an interim provisional Government responsible to the elected members of the Central Assembly be formed at once and the matters in dispute concerning the constituent assembly between the Congress and the League be referred to an independent tribunal.

Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 9th May 1946 :

In accordance with our decision yesterday at the conference my colleagues have given a good deal of thought to the choice of a suitable umpire. We have felt that it would probably be desirable to exclude Englishmen, Hindus, Muslims and Sikhs. The field is thus limited. Nevertheless we have drawn up a considerable list from which a choice can be made. I presume that you have also, in consultation with your executive, prepared a list of possible umpires. Would you like these two lists to be considered by us, that is by you and me? If so, we can fix up a meeting for the purpose. After we have met our recommendation can be considered by the eight of us, that is the four representatives of the Congress and the four representatives of the Muslim League and a final choice can be made which we can place before the conference when it meets tomorrow.

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated 10th May 1946 :

I received your letter of 9th May at 6 p.m. At yesterday's meeting between you and me at the Viceregal Lodge we discussed several points besides the fixing of an umpire. After a short discussion we came to the conclusion that we will further examine your proposal made by you at the conference yesterday with all its implications after your and my consulting our respective colleagues.

I shall be glad to meet you to consider the various aspects of your proposal any time that may suit you tomorrow morning after 10 o'clock.

Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 11th May 1946 :

Your letter of May 10th reached me at 10 last night.

During the talk we had at Viceregal Lodge you referred to various matters besides the choice of an umpire and I gave you my reactions in regard to them. But I was under the

impression that the proposal to have an umpire had been agreed to and our next business was to suggest names. Indeed it was when some such agreement was reached in the conference that we had our talk. My colleagues have proceeded on this basis and prepared a list of suitable names. The conference will expect us to tell them this afternoon the name of the umpire we fix upon or at any rate to place before them suggestions in this behalf.

The chief implication in having an umpire is to agree to accept his final decision. We agree to this. We suggest that we might start with this and report accordingly to the conference.

As suggested by you I shall come over to your place of residence at about 10-30 this morning.

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated 11th May 1946 :

I am in receipt of your letter of 11th May, 1946.

During the talk we had at the Viceregal Lodge which lasted for about fifteen or twenty minutes I pointed out various aspects and implications of your proposal and we had a discussion for a little while, but no agreement was arrived at between you and me on any point except that at your suggestion that you consult your colleagues and I should do likewise we adjourned to meet again the next day to further discuss the matter.

I shall be glad to meet you at 10-30 this morning for a further talk.

II

AZAD-WAVELL CORRESPONDENCE

Congress President's letter to the Viceroy, dated May 25, 1946 :

Dear Lord Wavell,

Your Excellency will remember that the demand of the Congress from the very beginning of the present discussions regarding the interim Government has been that there must be a legal and constitutional change in order to give it the status of a truly national Government.

The Working Committee has felt that this is necessary in

the interests of a peaceful settlement of the Indian problem. Without such status, the interim Government would not be in a position to infuse in the Indian people a consciousness of freedom, which is today essential. Both Lord Pethick-Lawrence and you have, however, pointed out the difficulties in the way of offering such constitutional changes, while at the same time assuring us that the interim Government would have in fact, if not in law, the status of a truly national Government. The Working Committee feel that after the British Government's declaration that the constituent assembly will be the final authority for framing the constitution and any constitution framed by it will be binding, the recognition of Indian independence is imminent.

It is inevitable that the interim Government which is to function during the period of the constituent assembly must reflect this recognition. In my last conversation with you, you stated that it was your intention to function as a constitutional head of the Government and that in practice the interim Government would have the same powers as that of a Cabinet in the Dominions. This is, however, a matter which is so important that it would not be fair either to you or to the Congress Working Committee to let it rest upon what transpired in informal conversations. Even without any change in the law, there could be some formal understanding by which the Congress Working Committee may be assured that the interim Government would in practice function like a Dominion Cabinet.

The question of the responsibility of the interim Government to the Central Assembly may also be treated in the same way. The existing law permits an Executive independent of the Central Legislature, but a convention could be created by which its tenure of office would depend on its enjoyment of such confidence.

The other details regarding the composition and magnitude of the interim Cabinet, which came up in my discussions with you, would all depend upon the satisfactory solution of the two basic questions enumerated above. If the questions of status and responsibility of the interim Government are satisfactorily solved, I hope we would be able to decide other questions without delay. As I have already written to you, the Working Committee has been adjourned and will be

summoned again when occasion demands. I would request you to let me have an indication of your decision and programme, so that the Working Committee may be summoned accordingly. I am leaving for Mussoorie on Monday and would request you to reply to my letter there.

(Sd.) Abul Kalam Azad.

Reply from the Viceroy to the Congress President, dated May 30, 1946:

My dear Maulana Sahib,

I have received your letter of 25th May on the interim Government. We have discussed this matter on several occasions and I recognise the importance that you and your party attach to a satisfactory definition of the powers of the interim Government and appreciate your reasons for asking for such a definition. My difficulty is that the most liberal intentions may be almost unrecognisable when they have to be expressed in a formal document. I am quite clear that I did not state to you that the interim Government would have the same powers as a Dominion Cabinet. The whole constitutional position is entirely different. I said that I was sure that His Majesty's Government would treat the new interim Government with the same close consultation and consideration as a Dominion Government.

His Majesty's Government have already said that they will give to the Indian Government the greatest possible freedom in the exercise of the day to-day administration of the country, and I need hardly assure you that it is my intention faithfully to carry out this undertaking.

I am quite clear that the spirit in which the Government is worked will be of much greater importance than any formal document and guarantee. I have no doubt that if you are prepared to trust me, we shall be able to co-operate in a manner which will give India sense of freedom from external control and will prepare her for complete freedom as soon as the new constitution is made.

I sincerely hope that the Congress will accept these assurances and will have no further hesitation in joining to co-operate in the immense problems which confront us.

In the matter of time-table you will be aware that the All-India Muslim League Council is meeting on June 5 at which we understand decisive conclusions are to be reached.

I suggest, therefore, that if you summon your Working Committee to re-assemble in Delhi on Friday, the 7th, it may be possible for final decisions to be made by all parties on all outstanding questions early in the following week.

(Sd.) Wavell.

Letter from the Viceroy to Pandit Jawaharlal Nehru, dated June 12, 1946 :

Dear Pandit Nehru,

I am anxious to have an opportunity of consulting you together with Mr. Jinnah as to how best I can fill the various posts in the interim Government. Could you come to see me for this purpose at 5 p.m. today ?

It is not my intention to discuss any question of principle, such as 'parity' or otherwise, but to concentrate upon what I know to be our common objective, that is, to get the best possible interim Government, drawn from the two major parties and some of the minorities, and to approach this decision by a consideration of what the portfolios should be and how each one can best be filled

I am sending a similar letter to Mr. Jinnah.

(Sd.) Wavell.

Reply from Pandit Jawaharlal Nehru to the Viceroy, dated June 12, 1946 :

Dear Lord Wavell,

I am sorry for the slight delay in answering your letter of today's date. Your invitation to me to see you today at 5 p.m. in order to confer with you and Mr. Jinnah about the interim Government placed me in a somewhat difficult position. I would gladly meet you at any time, but our official spokesman in regard to such matters is naturally our President, Maulana Azad. He can speak and confer authoritatively, which I cannot do. It is, therefore, proper that he should be in charge on behalf of any authoritative conversations that might take place. But since you have asked me to come I shall do so. I hope, however, that you will appreciate my position and that I can only talk without authority which vests in our President and the Working Committee."

(Sd.) Jawaharlal Nehru.

Letter from Maulana Azad, the Congress President, to the Viceroy, dated June 13, 1946 :

Dear Lord Wavell,

Thank you for your letter of the 12th June, which I have just received, inquiring after my health. I have now more or less recovered.

Pandit Jawaharlal Nehru has reported to my Committee and me the gist of the conversations between Your Excellency and him. My Committee regret that they are unable to accept your suggestions for the formation of the provisional National Government. These tentative suggestions emphasise the principle of "parity" to which we have been and are entirely opposed. In the composition of the Cabinet, suggested by you, there is "parity" between the Hindus, including the Scheduled Castes, and the Muslim League, that is, the number of caste Hindus is actually less than the nominees of the Muslim League. The position thus is worse than it was in June, 1945. At Simla where according to your declaration then, there was to be parity between the caste Hindus and Muslims, leaving additional seats for the Scheduled Caste Hindus, the Muslim seats then were not reserved for the Muslim League only but could include non-League Muslims. The present proposal thus puts the Hindus in a very unfair position and at the same time eliminates the non-League Muslims. My committee are not prepared to accept any such proposal.

Indeed as we have stated repeatedly we are opposed to "parity" in any shape or form.

In addition to this "parity", we are told that there should be a convention requiring that major communal issues should be decided by separate group voting. While we have accepted this principle for long-term arrangements, we did so as an effective substitute for other safeguards. In your present proposal, however, both "parity" and this convention are suggested. This would make the working of the provisional Government almost impossible and deadlock a certainty.

As I have often pointed out to you we are strongly of opinion that the provisional Government should consist of fifteen members. This is necessary to carry out the administration of the country efficiently, as well as to give adequate representation to the smaller minorities. We are anxious that the various minorities should have scope in such a Government. The work before the provisional

Government is likely to be much heavier and more exacting. In your proposals, communications include railways, transport, posts, telegraphs and air. It is difficult for us to conceive how all these can be joined together in one portfolio. This would be highly undesirable at any time with industrial troubles and the possibility of railway strikes this arrangement would be wholly wrong. We think also that planning is an essential department for the centre. We think, therefore, that the provisional Government must consist of fifteen members.

The suggested division of portfolios appears to us to be undesirable and unfair.

My Committee would also like to point out that a coalition Government in order to be successful must have some common outlook and programme for the time being. The manner of approach in forming such a Government has been such as to leave this out of consideration and my Committee do not feel any confidence that such a coalition can function successfully.

It was our intention to write to you about certain other matters also, but for reasons known to you our letter has been delayed. I shall write to you about the other matters later. My purpose in writing to you now is to convey to you without any delay our reactions on the tentative proposals that you put forward today.

(Sd.) Abul Kalam Azad.

Letter from Maulana Azad, Congress President, to the Viceroy, dated June 14, 1946 :

Dear Lord Wavell,

In my letter to you sent yesterday, I promised to send you another letter. I am now doing so.

On May 24th the Congress Working Committee passed a resolution which I conveyed to you. In this resolution we gave our reactions to the statement dated May 16, 1946, which the British Cabinet Delegation and you issued on behalf of the British Government. We pointed out what were in our opinion some of the omissions and defects in that statement and we also gave our interpretation of some of its provisions.

In a subsequent statement issued by you and the Cabinet Delegation our view-point was not accepted.

You know, and we have repeatedly emphasised this that our immediate objective has been and is the independence of India. We have to judge everything by this standard. We suggested that even though no legal change might be made at this stage, independence in practice might be recognised. This has not been agreed to.

In your letter, dated May 30, 1946, addressed to me, you explained what in your view the status and powers of the interim Government would be. This too falls short of what we aim at. Yet the friendly tone of your letter and our desire to find some way out led us to accept your assuance in these matters. We came to the conclusion also that, unsatisfactory as were many of the provisions of your statement of May 16th, we would try to work them according to our own interpretation and with a view to achieve our objective.

You are no doubt aware of the strong feeling of resentment which exists among large sections of the people against some of the proposals in the statement notably the idea of grouping. The Frontier Province and Assam have expressed themselves with considerable force against any compulsory grouping. The Sikhs have felt hurt and isolated by these proposals and are considerably agitated. Being a minority in the Punjab they become still more helpless, as far as numbers go, in section "B". We appreciated all these objections specially as we ourselves shared them. Nevertheless we hoped that according to our interpretation of the clauses relating to grouping, which we still hold is the correct interpretation, for any other interpretation would endanger the basic principle of provincial autonomy, we might be able to get over some of the obvious difficulties.

But two insuperable obstacles remained and we had hoped that you would be able to remove them. One of these related to the part that European members of the Provincial Assemblies might play in the election to the constituent assembly. We have no objection to Englishmen or Europeans as such, but we do have a strong objection to persons, who are foreigners and non-nationals and who claim to belong to the ruling race, participating in, and influencing the elections to the constituent assembly. The Cabinet Delegation's statement lays down clearly that the

future constitution of India has to be decided by Indians. The basic principle of the statement of May 16, *viz.*, the election of a member of the constituent assembly to represent one million inhabitants. On this basis, the representatives of 1,46,000 Muslims in Orissa and 1,80,000 Hindus and 38,000 Sikhs in the North-West Frontier Province have not been given the right to elect any member to the constituent assembly.

The European population of Bengal and Assam numbers only 21,000 but their representatives can return to the constituent assembly by their own vote seven out of thirty-four members, thus appropriating to themselves the right to represent seven millions. They are returned to the provincial assemblies by a separate electorate of their own and have been given fantastic weightage. This representation of Europeans in the constituent assembly will be at the cost of non-Muslims. That is mainly Hindus, who are already in a minority in Bengal. To make a minority suffer in this way is surely utterly wrong. Apart from the question of principle, it is a matter of the utmost importance in practice and may well affect the future both of Bengal and Assam. The Congress Working Committee attach the greatest importance to this. We would like to add that even if the Europeans themselves do not stand for election, but merely vote, the results will be equally bad. The Cabinet Delegation have informed us that beyond promising to use their persuasive powers they could not hold out any assurance to us that these European members would not exercise the right which, we are advised, they do not possess under the statement of May 16. But if the Delegation hold otherwise, as evidently they do, we cannot contemplate a legal fight for their exclusion at the threshold of the constituent assembly. Therefore, a clear announcement is necessary that they will not take part as voters or candidates in the election to the constituent assembly. We cannot depend on grace or goodwill where rights are concerned.

Equally important, in our view, is the question of "parity" in the proposed provisional National Government. I have already written to you on this subject. This "parity", or by whatever other name it may be called, has been opposed by us throughout and we consider it a dangerous

innovation which, instead of working for harmony, will be a source of continuous conflict and trouble. It may well poison our future as other separatist steps in the past have poisoned our public life. We are told that this is temporary provision and need not be treated as a precedent, but no such assurance can prevent an evil step from having evil consequences.

We are convinced that even the immediate results of any such provision will be harmful.

If the position about the European vote and "parity" remains, my Committee are reluctantly compelled to inform you that they will not be able to assist you in the difficult tasks ahead.

The talk we had with you today has not made any substantial difference to the fundamental position. We have noted that, according to your new suggestions, the proposed woman member might be replaced by a Hindu, thus increasing the Hindu members, including Scheduled Caste representatives, to six. We would be sorry not to have a woman member, but apart from this, the new proposal maintains the old Simla (1945) formula of parity between Caste Hindus and Muslims, with this important qualification that now Muslims are supposed to mean members of Muslim League. We are unable to agree to this proposal and we are still convinced that the Provisional Government must consist of fifteen members and that there should be no kind of parity in their selection.

(Sd.) Abul Kalam Azad.

Letter from the Viceroy to the Congress President, dated June 15, 1946 :

My dear Maulana Sahib,

I have received your letter of June 14. I will reply to it in detail in the course of today.

Meanwhile, I must assume from the last paragraph of your letter that my attempt to negotiate an agreement between the two major parties on the composition of the interim Government has failed.

The Cabinet Delegation and I have, therefore, decided to issue tomorrow a statement on the action we propose to take, and we will let you have a copy of this before publication

(Sd.) Wavell

Letter from the Viceroy to the Congress President, dated June 15, 1946 :

My dear Maulana Sahib,

I have received your letter of 14th June. You deal with matters on which we have already had much discussion.

We are doing everything possible to further the independence of India. As we have already pointed out, however, there must first be a new constitution, drawn up by the people of India.

The Delegation and I are aware of your objections to the principle of grouping. I would, however, point out that the statement of 16th May does not make grouping compulsory. It leaves the decision to the elected representatives of the provinces concerned sitting together in sections.

The only provision which is made is that the representatives of certain provinces should meet in sections so that they can decide whether or not they wish to form groups. Even when this has been done the individual provinces are still to have the liberty to opt out of the group, if they so decide.

I recognise the difficulty about the Europeans who through no fault of their own find themselves in a difficult position. I still hope that satisfactory solution of this problem will be found.

Our discussions in regard to the interim Government have been on the basis of political parties and not communities. I understand that this is regarded as preferable now, as it was at the first Simla Conference. In the proposed interim Government of myself and thirteen others, will be six Congressmen and five Muslim Leaguers. I do not see how this can be called parity. Nor is there parity between Hindus and Muslims there being six Hindus to five Muslims.

Even at this last moment, I still hope that the Congress will now accept the statement and consent to join the interim Government.

(Sd.) Wavell.

Letter from Maulana Azad, the Congress President, to the Viceroy, dated June 16, 1946 :

Dear Lord Wavell,

I have received your two letters of June 15. I note what you say about grouping. We abide by our interpretation of it.

As regards Europeans, we are clear that even on a legal

interpretation of the statement of May 16, apart from other considerations, they have not the right to participate in the elections to the constituent assembly. I am glad you expect a satisfactory solution of this problem.

We have endeavoured in our letter and in the course of our talks to state clearly what our position is in regard to any kind of parity. You will remember that parity was mentioned and considered at the first Simla Conference. That parity was exactly the same as is now suggested by you, that is, parity between caste Hindus and Muslims. Owing to the stress of war and other conditions, then existing we were prepared to accept this only for that occasion. It was not to be used as a precedent. Moreover, this was subject to the inclusion of at least one nationalist Muslim. Now conditions have entirely changed and we have to consider the question in another context, that is, approaching independence and constituent assembly, as we have written to you, in this context and in present circumstances we consider this kind of parity unfair and likely to lead to difficulties. The whole scheme proposed by you in the statement of May 16 is based on absence of weightage, and yet in the proposed provisional Government there is this weightage in addition to other far-reaching communal safeguards.

We have tried our utmost to arrive at a satisfactory settlement and we shall not despair of it but such a settlement, in order to be enduring, must be based on strong foundations. So far as the statement of May 16 is concerned our main difficulty, as we wrote to you, was the European vote.

The second and remaining difficulty relates to the proposals for the provisional Government which have to be considered together with the statement. The two cannot be separated. These proposals have thus far been unacceptable to us but if a satisfactory settlement in regard to them is arrived at we would be in a position to shoulder the burden.

(Sd.) Abul Kalam Azad.

Letter from the Viceroy to the Congress President, dated June 16, 1946 :

Dear Maulana Sahib,

I send herewith a copy of the statement which, as indicated in the letter I sent you yesterday, will be released at 4 p.m. this evening.

As the statement shows, the Cabinet Ministers and I are fully aware of the difficulties that have prevented an agreement on the composition of the interim Government. We are unwilling to abandon our hope of a working partnership between the two major parties and representatives of the minorities

We have, therefore, done our best to arrive at a practicable arrangement taking into consideration the various conflicting claims and the need for obtaining a Government of capable and representative administrators. We hope that the parties will now take their share in the administration of the country on the basis set out in our new statement. We are sure we can rely on you and your Working Committee to look to the wider issues and to the urgent needs of the country as a whole and to consider this proposal in a spirit of accommodation.

(Sd.) Wavell.

Enclosed : Statement by the Cabinet Delegation and the Viceroy, dated June 16, 1946.

Letter from the Congress President to the Viceroy, dated June 18, 1946 :

Dear Lord Wavell,

I promised to write to you this evening in case my Committee had come to any decisions.

The Committee met this afternoon and sat for many hours. In the absence of our colleague Khan Abdul Ghaffar Khan, who is due to arrive tomorrow morning, we decided to adjourn till tomorrow. I am, therefore, not in a position this evening to convey to you any decision. I shall communicate with you as soon as my Committee arrived at any conclusions.

(Sd) Abul Kalam Azad.

Letter from the Viceroy to the Congress President, dated June 20, 1946 :

Dear Maulana Sahib,

You will, I am sure, appreciate that the members of the Cabinet Mission have a great deal of urgent work awaiting them in England and are not in a position to prolong their stay in this country indefinitely. I would, therefore, ask your Working Committee to let us have a final answer as soon as possible to the proposals made in our statement of June 16.

I understand that you have summoned back the members

of the Committee who had left Delhi and in these circumstances, we would ask you to let us have your answer not later than Sunday, June 23.

(Sd.) Wavell.

Reply from the Congress President to the Viceroy, dated June 21, 1946 :

Dear Lord Wavell,

I have Your Excellency's letter of 20th June, 1946.

I appreciate your anxiety to come to an earlier decision regarding the formation of an interim Government and we can assure you that my Working Committee fully share your anxiety. A new difficulty in addition to the old ones, has, however, been created by the publication in the press of the alleged contents of Mr. Jinnah's letter to you in which he raises objection to the Congress nominations in the interim Cabinet. It will be of great assistance to the Working Committee in coming to a decision if they could have copies of these alleged letters and your reply thereto as they deal with vital matters which we have to consider.

(Sd.) Abul Kalam Azad.

Letter from the Viceroy to the Congress President, dated June 21, 1946 :

Dear Maulana Azad,

Thank you for your letter of today. Mr. Jinnah in his letter to me of the 19th June put to me the following questions :

1. Whether the proposals contained in the statement for setting up of an interim Government are now final or whether they are still open to any further change or modification at the instance of any of the parties or persons concerned.

2. Whether the total number of fourteen members of the Government as proposed in the statement would remain unchanged during the interim period.

3. If any person or persons invited as representatives of the four minorities, viz., the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees, is or are unable to accept the invitation to join the interim Government for personal or other reasons how will the vacancy or vacancies thus created be filled by the Viceroy and whether in filling up the vacancy or vacancies the Leader of the Muslim League will be

consulted and his consent obtained.

4. (a) Whether during the interim period for which the Coalition Government is being set up, the proportion of members of the Government community-wise as provided in the proposals will be maintained; (b) Whether the present representation given to four minorities, viz., the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees, will be adhered to without any change or modification and in view of the substitution of fourteen proposed for the original of twelve and the change made in the original formula whether there will be a provision in order to safeguard Muslim interests that the Executive Council shall not take any decision on any major communal issue if the majority of the Muslim members are opposed to it.

The operative part of my reply dated the 20th June was as follows :

The intention in the statement of June 16 was that the discussion of portfolios with leaders of the two main parties should follow the acceptance by both parties of the scheme. This intention still holds since until the names are known, it is difficult to decide on the distribution of portfolios.

On the points which you desire to be made clear in connection with the Government to be formed under our statement of June 16, I give you the following reply after consultation with the Delegation.

1. Until I have received acceptances from those invited to take office in the interim Government, the names in the statement cannot be regarded as final. But no change in principle will be made in the statement without the consent of the two major parties.

2. No change in the number of fourteen members of the interim Government will be made without the agreement of the two major parties.

3. If any vacancy occurs among the seats at present allotted to representatives of minorities, I shall naturally consult both the main parties before filling it.

4. (a) and (b) The proportion of members by communities will not be changed without the agreement of the two major parties.

5. No decision on a major communal issue could be taken by the interim Government if a majority of either of the

main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.

(Sd.) Wavell.

Letter from the Viceroy to the Congress President, dated June 22, 1946 :

My dear Maulana Sahib,

I understand from press reports that there is a strong feeling in Congress circles that the Party should insist on their right to include a Muslim of their own choice among the representatives of the Congress in the interim Government.

For reasons of which you are already aware it is not possible for the Cabinet Mission or myself to accept this request, but I would draw your attention to paragraph 5 of the statement of the 16th June which reads as follows :

"The above composition of the interim Government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available Coalition Government."

In the light of this assurance, that no precedent is established, we appeal to the Congress not to press their demand but to take part in the strong interim Government which the country urgently needs.

(Sd.) Wavell.

Letter from the Congress President to the Viceroy, dated June 24, 1946 :

Dear Lord Wavell,

I have just received the telephone message sent on your behalf asking me to communicate immediately the decision of the Working Committee in regard to the proposals for a provisional Government. The decision was in fact taken yesterday, but we felt that it would be better if we wrote to you fully on all aspects of the proposals made by you and the Cabinet Delegation.

The Working Committee have been sitting almost continuously and will be meeting at 2 p.m. again today. After full consideration and deliberation, they have been reluctantly obliged to decide against the acceptance of the interim Government proposals as framed by you. A detailed and reasoned reply will follow later.

(Sd.) Abul Kalam Azad.

Letter from the Congress President to the Viceroy, dated June 25, 1946:

Dear Lord Wavell,

Ever since the receipt of your statement of June 16th, my Committee have been considering it from day-to-day and have given long and anxious thought to your proposals and to the invitations you have issued to individuals to form the provisional National Government because of our desire to find some way out of the present most unsatisfactory situation.

We have tried our utmost to appreciate your approach and view-point. In the course of our conversations we have already pointed out to you our difficulties. Unfortunately these difficulties have been increased by the recent correspondence.

The Congress, as you are aware, is a national organisation including in its fold the members of all religions and communities in India. For more than half a century it has laboured for the freedom of India and for equal rights for all Indians. The link that has brought all these various groups and communities together within the fold of the Congress is the passionate desire for national independence, economic advance and social equality. It is from this point of view that we have to judge every proposal. We hoped that a provisional National Government would be formed which would give effect, in practice, to this independence. Appreciating some of your difficulties, we did not press for any statutory change introducing independence immediately, but we did expect a *de facto* change in the character of the Government making for independence in action. The status and powers of the provisional Government were thus important. In our view this was going to be something entirely different from the Viceroy's Executive Council. It was to represent a new outlook, new methods of work and a new psychological approach by India to both domestic and external problems. Your letter, dated 30th May, 1946, gave us certain assurances about the status and powers of the provisional Government. These did not go far enough, according to our thinking, but we appreciated the friendly tone of that letter and decided to accept the assurances and not to press this particular matter any further.

The important question of the composition of the pro-

visional Government remained. In this connection we emphasised that we could not accept anything in the nature of "parity" even as a temporary expedient and pointed out that the provisional Government should consist of fifteen members to enable the administration of the country to be carried on efficiently, and the smaller minorities to be represented in it. Some mention of names was made and on our part suggestions were put before you informally, including the name of a non-League Muslim.

In your statement of June 16th some of the names suggested came as a surprise to us. Several changes had been made from the provisional list prepared by the Congress. The manner of preparing your list and presenting it as an accomplished fact seemed to us to indicate a wrong approach to the problem. One of the names included had not been previously mentioned at all and was that of a person holding an official position and not known to be associated with any public activity. We have no personal objection to him, but we think that the inclusion of such a name, particularly without any previous reference or consultation, was undesirable and indicated a wrong approach to the problem.

Then again a name from our list was excluded and in his place another of our colleagues was put in but as you have said that this can be rectified, I need not say more about it.

One outstanding feature of this list was the non-inclusion of any nationalist Muslim. We felt that this was grave omission. We wanted to suggest the name of a Muslim to take the place of one of the Congress names on the list. We felt that no one could possibly object to our changing the name of one of our own men. Indeed when I had drawn your attention to the fact that among the Muslim League nominees was included the name of a person, who had actually lost in the recent elections in the Frontier province and whose name, we felt, had been placed there for political reasons, you wrote to me as follows: "I am afraid that I cannot accept the right of the Congress to object to names put forward by the Muslim League, any more than I would accept similar objections from the other side. The test must be that of ability." But before we could make our suggestion I received your letter of the 22nd June which surprised us greatly. You had written this letter on the

basis of some press reports. You told us that the Cabinet Mission and you were not prepared to accept a request for the inclusion of a Muslim chosen by the Congress among the representatives of the Congress in the interim Government. This seemed to us an extraordinary decision.

It was indirect opposition to your own statement quoted above. It meant that the Congress could not freely choose even its own nominees. The fact that this was not to be taken as a precedent made hardly any difference. Even a temporary departure from such a vital principle could not be accepted by us at any time or place and in any circumstances.

In your letter of the 20th June you gave certain questions framed by Mr. Jinnah in his letter dated 19th June and your replies to them. We have not seen Mr. Jinnah's letter. In question 3 reference is made to representation of the four minorities, the Scheduled Castes, the Sikhs, the Indian Christians and the Parsees, and it is asked as to "who will fill in vacancies caused in these groups, and whether in filling up the vacancies the leader of the Muslim League will be consulted and his consent obtained."

In your answer you say: "If any vacancy occurs among the seats at present allotted to the representatives of the minorities, I shall naturally consult both the main parties before filling it." Mr. Jinnah has thus included the Scheduled Castes among the minorities and presumably you have agreed with this view. So far as we are concerned we repudiate this view and consider the Scheduled Castes as integral parts of Hindu society. You also in your letter of June 15 treated the Scheduled Castes as Hindus.

You pointed out that in your proposal there was no "parity" either between Hindus and Muslims or between the Congress and the Muslim League inasmuch as there were to be six Hindus belonging to the Congress as against five Muslims belonging to the League. One of the six Hindus belonged to the Scheduled Castes. We are in any case not agreeable to the leader of a party, which claims to represent a community which is a minority, interfering with the election of names either of the Scheduled Castes, whose representation you counted as falling within the Congress quota, or with the selection of representatives of the minorities

In question 4 the Scheduled Castes are again referred to as a minority and it is not stated whether the proportion of members of the Government community-wise as provided in the proposals will be maintained. Your answer is that the proportion will not be changed without agreement of the two major parties. Here again one communal group functioning admittedly as such is given a power to veto changes in other groups with which it has no concern. We may desire, if opportunity offers itself, to increase the representation of the Scheduled Castes, or to give representation, when it is possible, to another minority, for example, Anglo-Indians. All this would depend on the consent of the Muslim League. We cannot agree to this. We may add that your answers restrict the Congress representation to caste Hindus and make it equal to that of the League.

Finally, you state in answer to question 3 that no decision of a major communal issue could be taken by the interim Government if the majority of either of the main parties were opposed to it. You further say that you had pointed this out to the Congress President and he agreed that the Congress appreciated this point. In this connection I desire to point out that we had accepted this principle for the long-term arrangement in the Union Legislature and it could possibly be applied to the provisional Government if it was responsible to the Legislature and was composed of representatives on the population basis of major communities. It could not be applied to the provisional Government formed on a different basis altogether. It was pointed out by us in my letter of the 13th June, 1946, that it would make administration impossible and deadlocks a certainty.

Even in the question as framed by Mr. Jinnah it is stated that "in view of the substitution of fourteen now proposed for the original twelve no major communal issues should be decided if the majority of the Muslim members are opposed to it." Thus this question arose after the substitution of fourteen for twelve, i.e., after your statement of June 16th. In this statement no mention was made of this rule. This very important change has been introduced, almost casually and certainly without our consent. This again gives the power of veto or obstruction to the Muslim League in the provisional Government.

We have stated above our objections to your proposals of June 16th as well as your answers to the questions framed by Mr. Jinnah. These defects are grave and would render the working of the provisional Government difficult and deadlocks a certainty. In the circumstances your proposals cannot fulfil the immediate requirements of the situation or further the cause we hold dear.

My Committee have, therefore, reluctantly come to the conclusion that they are unable to assist you in forming a provisional Government as proposed in your statement of June 16th, 1946.

With regard to the proposals made in the statement of May 16th, relating to the formation and functioning of the constitution-making body, the Working Committee of the Congress passed a resolution on the 24th May, 1946, and conversations and correspondence have taken place between Your Excellency and the Cabinet Mission on one side and myself and some of my colleagues on the other. In these we have pointed out what in our opinion were the defects in the proposals. We also gave our interpretation of some of the provisions of the statement. While adhering to our views, we accept your proposals and are prepared to work them with a view to achieving our objective. We would add however that the successful working of the constituent assembly will largely depend on the formation of a satisfactory provisional Government.

(Sd.) Abul Kalam Azad.

III

JINNAH-WAVELL CORRESPONDENCE

Letter from Mr. Jinnah to the Viceroy, dated June 8, 1946 :

During the course of our discussions regarding the interim Government at Simla and thereafter at Delhi on the 3rd of June, after my arrival, and before the meeting of the Muslim League Working Committee took place, you were good enough to give me the assurance that there will be only twelve portfolios, five on behalf of the League, five Congress, one Sikh and one Christian or Anglo-Indian, and that as

regards the portfolios, the most important portfolios will be equally divided between the League and the Congress in the distribution thereof, further details being left open for discussion.

With your previous permission I informed the Working Committee of this assurance and this was one of the most important considerations which weighed with them together with the statement of the Cabinet Mission. These two together formed one whole and, as such, the Council of the All-India Muslim League has given its final decision on June 6. I may further inform you that similarly I had to repeat the assurance to the Council before they finally gave their approval. As you know, the meeting of the All-India League Council was held in camera and there, again, the house showed great opposition to the scheme in the beginning.

During the course of discussions at a very early stage, a large body of opposition was satisfied when I made the statement in answer to the very pressing question as to what our position will be with regard to the interim Government. But for this assurance, we could not have got the approval of the Council to the scheme. As requested by you, I took as much care as possible to see that it did not become public.

I am writing this letter to you as I find that a very sinister agitation has been set on foot by the Congress press against your formula stated above, which was the turning point in our having secured the decision of the Council. Any departure from this formula, directly or indirectly, will lead to very serious consequences and will not secure the co-operation of the Muslim League.

You know further that the Congress may adopt an offensive attitude by including a Muslim in their quota, which will be strongly resented by the Muslim League and which will be another very great hurdle before us.

Letter from the Viceroy to Mr. Jinnah, dated June 9, 1946 :

Thank you for your letter of yesterday. You speak of an assurance about the 5 : 5 : 2 ratio. There was no assurance on this point, but I told you, as I told the Congress, that this was what I had in mind. It would be wrong for me to leave you under the impression that there was any assurance, although I hope that we may reach agreement on that basis.

Letter from the Viceroy to Mr. Jinnah, dated June 15, 1946 :

I am writing to inform you that after discussions with the Congress representatives I have failed to negotiate an agreement on the basis which I suggested to you. The Cabinet Mission and myself have, therefore, decided to issue tomorrow a statement on the action we propose to take and we will let you have a copy of this before publication.

Letter from the Viceroy to Mr. Jinnah, dated June 25, 1946 :

You ask for a letter in confirmation of what the Mission said to you this evening. We informed you that the Congress had accepted the statement of May 16 while refusing to take part in the interim Government proposed in the statement of June 16. This has produced a situation in which paragraph 8 of the statement of June 16 takes effect.

This paragraph said that if either of the two major parties was unwilling to join in the setting up of a Coalition Government on the lines laid down in the statement, the Viceroy would proceed with the formation of an interim Government which will be as representative as possible of those willing to accept the statement of May 16.

Since the Congress and the Muslim League have now both accepted the statement of May 16th, it is the intention to form a Coalition Government including both those parties as soon as possible. In view, however, of the long negotiations which have already taken place and since we all have other work to do, we feel that it will be better to have a short interval before proceeding with further negotiations for the formation of an interim Government.

This therefore is the course of action we propose to adopt unless the two main parties can within the next few days agree upon a basis on which they can co-operate in a Coalition Government.

Meanwhile the election and summoning of a constituent assembly as laid down in the statement of May 16 are going forward.

Letter from Mr. Jinnah to the Viceroy, dated June 26, 1946 :

I received your letter dated June 25 at midnight last

night after I had sent you the resolution of my Working Committee passed at its meeting yesterday with a covering letter of the same date agreeing to join the interim Government on the basis of the statement of the Cabinet Mission and yourself dated June 16 and the clarifications and assurances given by you after consultation with the Cabinet Mission in your letter dated June 20 addressed to me.

I regret that the Congress while accepting the statement of May 16 should have rejected the proposals regarding the setting up of the interim Government on the basis of the statement of June 16, which was the final decision of the Cabinet Mission and yourself in this regard.

May I draw your attention to paragraph 8 of the statement of June 16, which clearly lays down that the acceptance of the statement of May 16 and rejection of the final proposals embodied in the statement of June 16 cannot change the basis and principles laid down therein.

In paragraph 3 of your letter, when you say that the Viceroy would proceed with the formation of an interim Government "which will be as representative as possible of those willing to accept the statement of May 16," the quotation qualifies them to be included in the interim Government, but only on the basis of the principles laid down in your proposals of June 16.

In these circumstances, as indicated in the statement of June 16, paragraph 7, that you aimed at inaugurating the interim Government about June 26, I hope you will not now delay the matter but go ahead with the formation of the interim Government on the basis of your statement of June 16.

Letter from the Viceroy to Mr. Jinnah, dated June 27, 1946 :

Thank you for your letter of yesterday. I am sorry that my letter did not reach you till after the meeting of your Working Committee had ended.

As we explained to you during our interview on Tuesday, the Cabinet Mission and I consider that in the light of paragraph 8 of the statement of June 16 I am clearly bound to make an attempt to form a Government representative of both the major parties since both have accepted the statement of May 16.

I think you will agree that it is essential to have a short interval before resuming negotiations; and, as we informed you, it is proposed to set up a temporary "caretaker" Government of officials. I intend reopening negotiations after elections are completed. Meanwhile the Cabinet Mission will return home to report.

Letter from Mr. Jinnah to the Viceroy, dated June 28, 1946 :

I am in receipt of your letter of June 27. I had already pointed out by my letter of June 26 in reply to yours of June 25, and also at the interview on Tuesday, June 25, with you and the Cabinet Mission that you were in honour bound to proceed forthwith with the formation of your interim Government in accordance with the statement of June 16, which was final, and the assurances given to us.

The Cabinet Mission and yourself issued an official statement late in the evening of June 26 and, as I have already pointed out in my statement issued to the press yesterday, by that pronouncement you have chosen to go back upon your pledged word by postponing the formation of the interim Government.

Now I have received your letter of June 27 and hereby inform you that I cannot agree with you when you say in your letter that "it is essential to have a short interval before resuming negotiations." I repeat that you should have proceeded in terms of paragraph 8 of the statement of June 16 without delay. But since you have adopted this course of action in the official statement of the Cabinet Mission and yourself, which is neither fair nor just, I strongly urge upon you without prejudice that the elections to the constituent assembly should also be postponed as you know that according to all the relevant documents and particularly the two statements of the Cabinet Mission and yourself dated May 16 and 25 the long-term plan and the formation of the interim Government formed one whole, each constituting an integral part of the whole scheme. It is therefore undesirable to proceed with one part, i.e., elections to the constituent assembly, and to postpone the other.

Letter from Mr. Jinnah to the Viceroy in reply to his two letters of June 28, 1946 :

I am in receipt of your letter of June 28. The facts are

correctly stated in my statement that was released to the press yesterday, June 27. The explanation that you now give in your letter under reply of what took place between me and the Cabinet Mission and yourself does not change in any way the position.

The fact is that you did not communicate to me your views officially before the meeting of the Working Committee. I requested you to give your views officially to me and you did so by your letter of June 25, which reached me at midnight after the Working Committee had passed their resolution which was released to the press according to the solemn arrangement that we were to give our reply immediately after the decision of the Congress. If you wish to take the credit that some indication was given to me of the change on your part in the course of the interview, where we discussed so many things, you may do so.

As regards paragraph 2 of your letter I am surprised when you say that the assurances quoted by me from your letter in my statement were given if both the major parties had accepted the statement of June 16. No such indication of any condition is given in your letter of June 20, which I understand from your Private Secretary has already been released to the press together with some other correspondence. May I request you to release this letter also.

I have received a second letter from you dated June 28. May I also request you to publish the full text of my letter of June 28 asking you to postpone the constituent assembly elections—and not only a substance of it which might have appeared in the All-India Radio broadcast—as you propose to release your reply to the press.

APPENDIX E

FACTS ABOUT INDIA

India has an area of 1,581,410 square miles, a land frontier of 6,000 miles and a sea frontier of 5,000 miles, that is, it is as big as Europe minus Russia and nearly twenty times the size of British Islands.

India has a total population of 386,666,623, i.e., one out of every five persons in the world is an Indian.

Eighty per cent of India's people live in villages; 66 per cent of the people are Hindus, and 24 per cent Muslims.

The average annual income of an Indian is Rs. 65.

Majority of Indians do not get one square meal a day. India's annual per capita consumption of cloth is 16 yards. "Average Indian," it has been said, "carries his wardrobe on his person."

The expectation of life in India is about 27 compared with 62 in U.S.A., 65 in Australia, 59 in Canada.

Two lakhs of mothers die in India of childbirth.

In England they have a doctor for every 776 persons and a nurse for every 435 persons. In India there is only one doctor for every 91,000 persons and one nurse for every 86,000 persons.

While most of the civilised countries have achieved literacy for their entire population, in India only 14.0 of people can read and write.

The State in India spends about Rs. 9, As. 8 per head of population per year on education as compared with Rs. 32, As. 8 per head in Great Britain.

Only about 5.44 per cent of the population in India receive schooling.

The expenditure on social services per head of population is Re. 1 as compared with Rs. 77 in U.K.

POPULATION OF INDIA BY COMMUNITIES

		Total	Per cent
TOTAL	...	38,66,66,623	100.00
Non-Muslims	...	29,46,08,527	76.19

		<i>Total</i>	<i>Per cent.</i>
Muslims	...	9,20,58,096	23·81
Hindus	...	25,49,30,506	65·93
Caste Hindus	...	20,61,17,326	53·31
Scheduled Castes	...	4,88,13,180	12·02
Tribes	...	2,54,41,489	6·58
Christians	...	63,16,549	1·63
Sikhs	...	56,91,447	1·47
Others	...	22,28,536	0·57

BRITISH INDIA POPULATION BY COMMUNITIES

TOTAL	...	29,58,08,722	100·00
Non-Muslims	...	21,64,10,219	73·20
Muslims	...	7,93,98,503	26·83
Hindus	...	19,08,10,953	64·50
Caste Hindus	...	15,03,90,146	51·00
Scheduled Castes	...	3,99,20,807	13·50
Tribes	...	1,67,13,256	5·60
Christians	...	34,82,430	1·18
Sikhs	...	41,65,097	1·41
Others	...	12,38,483	0·42

INDIAN STATES POPULATION BY COMMUNITIES

TOTAL	...	9,08,57,901	100·00
Non-Muslims	...	7,81,93,308	86·07
Muslims	...	1,26,59,593	13·93
Hindus	...	6,41,19,553	70·57
Caste Hindus	...	5,52,27,180	60·78
Scheduled Castes	...	81,92,373	9·79
Tribes	...	87,28,233	9·61
Christians	...	28,34,119	3·12
Sikhs	...	15,26,350	1·61
Others	...	9,90,053	1·06

APPENDIX F

GUIDE TO PROVINCES

British India is divided into eleven provinces, enjoying provincial autonomy, and six areas directly administered by the Central Government through Chief Commissioners.

The eleven provinces enjoying provincial autonomy are : Assam, Bengal, Bihar, Bombay, C.P., Madras, N.-W.F.P., Orissa, Punjab, Sind and United Provinces. In only four of these provinces the Muslims have a majority. The Muslims are most numerous in N.-W.F.P., constituting 91·79 per cent of the people. In Sind the Muslims form 70·75 per cent of the population. In the Punjab and Bengal they have only a nominal majority. In the Punjab the Muslims form 57·07 per cent of the population and in Bengal 54·73. Here are a few facts about the provinces :

Madras

Madras is one of the earliest pieces of territory to fall in British hands. The whole of the province lies to the south of Kristna River. Madras is one of the most thickly populated provinces, the total population being 49,341,810. More than 86 per cent of people are Hindus.

Bengal

Bengal, called Bang, and Gour in ancient times, is one of the leading provinces in India. About 55 per cent of the population are Muslims and 41·55 Hindus. But in two of the five divisions constituting the province the Hindus constitute the majority of the people. In Darjeeling the non-Muslims constitute no less than 97·58 per cent of people. In Calcutta more than 75 per cent of the people are non-Muslims. If Bengal is created a Pakistan state the districts of Burdwan division, the districts of 24 Parganas, Khulna and Calcutta of the Presidency Division, the districts of Jalpaiguri and Darjeeling, having large non-Muslim majorities, will have to be excluded from Pakistan.

Bihar

Bihar, ancient Magadha, was part of Bengal before 1912

when it became a separate province. More than 72 per cent of people are Hindus, Muslims constitute 13 per cent of the population

Bombay

Bombay, the most western province of India, was acquired by Britain as part of the dowry Portuguese Princess Catherine received on her marriage with Charles II in 1661. About 79 per cent of the people are Hindus and 9.21 per cent Muslims. Bombay is a centre of trade and industry.

C. P. and Berar

Central Provinces and Berar form a single province. About 77 per cent of the people are Hindus.

United Provinces

United Provinces was originally termed the N.-W. Provinces. It was called the United Provinces of Agra and Oudh in 1902. Since April 1, 1937, it is called United Provinces. About 83 per cent of the people are Hindus, and 15.30 per cent Muslims.

Punjab

The Punjab was called Pancha-Nad or the land of five rivers in ancient times. It was the first home of Aryas; here Sikh religion had its birth and Sikh rulers ruled the province before the British came to power in 1849. The Muslims are in a majority, but a bare majority, being only 57.06 per cent of the population. Nor are they in a majority in every district or division; in fact in many districts or divisions non-Muslims are in an overwhelming majority. In the recent elections the Muslim League captured 74 seats in a House of 175. It was the largest single party in the House but the Punjab Coalition Party, formed by the Congress Party, Unionist Party and the Akali Party, was the bigger party in the House, and was called upon to form the Government.

N.-W.F.P.

The North-West Frontier Province was created in 1901, when several Frontier agencies, extending from Chitral on the north to Waziristan in the south, which had been under military control, were placed under civil administration with portions of the districts of Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan. About 92 per cent of the people are Muslims. During the recent election the Congress

Party scored a thumping victory and was returned to power. The party position in the province is Congress 30, Muslim League 17, Nationalist Muslims 2, Akali 1.

Orissa

Orissa was created a separate province in 1936 on linguistic and ethnological basis and the Oria-speaking districts and tracts in C.P. and Madras were combined to old Orissa division to constitute a new province. About 78 per cent of the people are Hindus.

Assam

Assam, known as Kamrup in ancient India, became a separate province in 1912. More than 66 per cent of the people are non-Muslims. In 8 out of 14 districts of the province the percentage of Muslims is less than 5, in 3 less than 1. Still the Muslim League claims it as a Pakistan territory. During the recent elections the Congress was returned with an absolute majority; it captured 58 seats in a House of 108. The party position is: Congress 58, League 31, Nationalist Muslims 3, Independents 7, Europeans 9.

Sind

Till 1936 Sind formed a part of the Bombay Presidency. It was detached from the Presidency and formed into a separate province. Sindhi, written in Arabic script but containing many words of Sanskrit origin, is spoken by both Hindus and Muslims. About 71 per cent of the people are Muslims and 27 per cent Hindus. The Muslims are in a majority in each and every district. In the recent elections the Muslim League captured 27 seats in a House of 60. The party position was: Muslim League 27, Syed Group 4, Congress 18, Azad Muslims 4, Europeans 3 and Independents 4. The non-League parties formed a coalition and claimed to have 29 seats. But the Governor called upon the League to form a ministry.

APPENDIX G

BRITAIN'S PLEDGES AND DECLARATIONS

There is no use for pronouncements that are not fulfilled; there is no use for pronouncements which take geological epochs to fulfil.—Montague

The Charter Act of 1833

Clause 87 of the Charter Act of 1833 declared :

"That no native of the said territories nor any natural born subject of His Majesty's resident therein, shall, by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office or employment under the Company."

Queen Victoria's Proclamation (November 1, 1858)

"We declare it to be our royal will and pleasure that none be in any wise favoured, none molested or disquieted by reason of their religious faith or observances; but that all shall alike enjoy the equal and impartial protection of the law: and we do strictly charge and enjoin all those who may be in authority under us, that they abstain from all interference with the religious belief or worship of any of our subjects, on pain of our highest displeasure.

"And it is our further will that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified, by their education, ability, and integrity, duly to discharge."

Declaration of 1917

The declaration of August 20, 1917, which the late Mr. Montague made in the House of Commons on behalf of His Majesty's Government, said :

"The gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India."

Preamble to Government of India Act, 1919

It is the declared policy of Parliament to provide for :

"The increasing association of Indians in every branch of

the administration and the gradual developments of self-governing institutions with a view to the progressive realisation of responsible government in British India as an integral part of the British Empire."

Mr. Churchill's Declaration

Mr. Winston Churchill spoke as follows in the Imperial Conference in 1921 :

"We owed India that deep debt and we looked forward confidently to the days when the Indian Government and people would have assumed fully and completely their Dominion Status."

Beginnings of Swaraj

Extract from the message from King George V, read out by the Duke of Connaught in formally inaugurating the Legislature of India on February 7, 1921 :

"For years, it may be for generations, patriotic and loyal Indians have dreamed of Swaraj for their motherland. Today you have beginnings of Swaraj within my Empire ; and widest scope and ample opportunity for progress to the liberty which my other Dominions enjoy."

New Dominion

Mr. Ramsay MacDonald, the Prime Minister, speaking on July 2, 1928, observed :

"I hope that within a period of months rather than years there will be a new Dominion added to the Commonwealth of our nations, a Dominion of another race, a Dominion that will find self-respect as an equal within this Commonwealth. I refer to India."

Lord Irwin's Statement (October 31, 1929)

Extract from the statement made on October 31, 1929, outlining the plan of a Round Table Conference, by His Excellency the Viceroy (Lord Irwin, now Lord Halifax) :

"In view of the doubts which have been expressed both in Great Britain and India regarding the interpretation to be placed on the intentions of the British Government in enacting the statute of 1919, I am authorised on behalf of His Majesty's Government to state clearly that in their judgment it is implicit in the declaration of 1917 that the natural issue of Indian constitutional progress, as therein contemplated, is the attainment of Dominion Status."

Federation

Extract from the address to both Houses of the Central Legislature on September 11, 1939, by Lord Linlithgow, the Viceroy of India :

"... Federation remains as before the objective of His Majesty's Government ; but you will understand, gentlemen, without any elaborate exposition on my part, the compulsion of the present international situation, and the fact that, given the necessity for concentrating on the emergency that confronts us, we have no choice but to hold in suspense the work in connection with preparations for federation, while retaining federation as our objective."

The Cripps Offer (March, 1942)

In March, 1942, Sir Stafford Cripps made the following declaration on behalf of His Majesty's Government :

" (a) Immediately upon cessation of hostilities steps shall be taken to set up in India in manner described hereafter an elected body charged with the task of framing a new constitution for India.

" (b) Provision shall be made, as set out below, for participation of Indian States in the constitution-making body.

" (c) His Majesty's Government undertake to accept and implement forthwith the constitution so framed subject only to—

" (i) The right of any province of British India that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides.

" With such non-acceding provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new constitution giving them the same full status as the Indian Union and arrived at by a procedure analogous to that here laid down.

" (ii) The signing of a treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands ; it will make provision, in accordance with undertakings given by His Majesty's Government for the protection of racial and religious minorities ; but will not impose any restriction on the power of the Indian Union to

decide in future its relationship to other Member States of the British Commonwealth.

"Whether or not an Indian State elects to adhere to the constitution it will be necessary to negotiate a revision of its treaty arrangements so far as this may be required in the new situation.

"(d) The constitution-making body shall be composed as follows unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities :

"Immediately upon the result being known of provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of Provincial Legislatures shall as a single electoral college proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about one-tenth of the number of the electoral college."

The Secretary of State's Speech (June 14, 1945)

Mr. Amery, the Secretary of State for India, speaking in the House of Commons on June 14, 1945, said :

"The offer of March, 1942, stands in its entirety. That offer is based on two main principles. First no limit is set to India's freedom to decide her own destiny whether as a free partner in the Commonwealth or even without it. Second that this can only be achieved under a constitution or constitutions framed by Indians to which the main elements are consenting parties."

Announcement of September 19, 1945

Lord Wavell in the course of a broadcast on September 19, 1945, said :

"It is the intention of His Majesty's Government to convene as soon as possible a constitution-making body, and as a preliminary step they have authorised me to undertake, immediately after the elections, discussions with representatives of the Legislative Assemblies in the Provinces, to ascertain whether the proposals contained in the 1942 declaration are acceptable or whether some alternative or modified scheme is preferable. Discussions will also be undertaken with the representatives of the Indian States with a view to ascertaining in what way they can best take their part in the constitution-making body.

"His Majesty's Government are proceeding to the consideration of the content of the treaty which will require to be concluded between Great Britain and India.

"During these preparatory stages, the Government of India must be carried on, and urgent economic and social problems must be dealt with. Furthermore, India has to play her full part in working out the new World Order. His Majesty's Government have, therefore, further authorised me, as soon as the results of the provincial elections are published, to take steps to bring into being an Executive Council which will have the support of the main Indian parties."

India's Right To Secede

Mr. Clement Attlee, in the course of a speech in the House of Commons on March 15, 1946, said :

"India herself must choose as to what will be her future situation and her position in the world. Unity may come through the United Nations or through the Commonwealth but no great nation can stand also by herself without sharing what is happening in the world. I hope that India may elect to remain within the British Commonwealth. I am certain that she will find great advantage in doing so, but if she does she must do it of her own free will, for the British Commonwealth and empire is not bound together by chains of external compulsion. It is a free association of free peoples."

The Prime Minister went on : "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, we cannot allow a minority to place their veto on the advance of a majority."

